

CONFIDENTIAL.

(5747.)

PART XIX.

F.O.
403

FURTHER CORRESPONDENCE

RESPECTING THE

AFFAIRS OF NORTH AFRICA.

64

September to December 1888.

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CONFIDENTIAL.

Further Correspondence respecting the Affairs of North Africa.

PART XIX.

No. 1.

The Marquis of Salisbury to Mr. J. G. Kennedy.

(No. 105.)
Sir,

Foreign Office, September 14, 1888.

THE "Journal Officiel Tunisien" of the 26th July, 1888, contains a Decree of the President of the French Republic revoking the authority of the French Tribunals in Tunis, which have lately been substituted for the British, amongst other foreign, Consular Courts at that place, to review the decisions of the Mixed Local Tribunals in cases affecting real property. The consequence of such revocation would appear to be to submit British subjects for the future to the jurisdiction of the Bey in such matters, and the Decree would therefore seem to be at variance with the stipulations of the IVth Article of the Convention between Great Britain and Tunis of the 10th October, 1863, which was confirmed by Article XLII of the Treaty of the 19th July, 1875. By Article IV of the Treaty of the 12th May, 1881, between France and Tunis, the former country expressly guaranteed the execution of the Treaties then existing between the Government of the Regency and the different European Powers, thus binding themselves by all the Treaty obligations of the Bey. Before finally deciding what action shall be taken with regard to the above-mentioned Decree of the 17th July last, Her Majesty's Government would be glad to learn the view of the Italian Government with respect thereto, and I have therefore to request you to make the necessary communication on the subject to the Italian Minister for Foreign Affairs.

It will be seen that the practical effect of the new Decree is to deprive British subjects of the right of appeal from the decisions of the Mixed Local Tribunals provided under the Convention of 1863, the execution of which has been guaranteed by the French Government, and the validity of which was formally recognized by Count d'Aunay's note to Lord Granville of the 30th July, 1883.

Copies of the Decree in question, and of the Treaties referred to in this despatch, are herewith inclosed, as well as copies of the correspondence containing Count d'Aunay's above-mentioned note.*

I am, &c.
(Signed) SALISBURY.

No. 1*.

Mr. Egerton to the Marquis of Salisbury.—(Received October 1.)

(No. 499.)
My Lord,

Paris, September 30, 1888.

WITH reference to my despatch No. 492 of the 27th instant, in which I inclosed the text of the new Law respecting education in Tunis, I have the honour to inclose an official communication to the "Agence Havas," in which it is stated that the Minister for Foreign Affairs, in answer to the inquiries of the Italian Minister on this

* Decree of the President of the French Republic of July 17, 1888; Treaties: Great Britain and Tunis, October 10, 1863 (No. 474), and July 19, 1875 (No. 586); France and Tunis, May 12, 1881 (No. 2415); in "Tunis No. 6 (1881)"; "Tunis No. 1 (1884)."

subject, has declared that none of the rights reposing on previous engagements would be affected by the measure in question, and that he had no doubt that the instructions which he had sent to the French Representative in Tunis would allow of a satisfactory arrangement being come to.

I have, &c.
(Signed) EDWIN H. EGERTON.

Inclosure in No. 1*.

Extract from the "Débats" of September 30, 1888.

"L'AGENCE HAVAS" communique aux journaux la note suivante:—

"M. Rössmann, Chargé d'Affaires du Gouvernement Italien à Paris, a eu Vendredi un entretien avec M. Goblet et, dans un sentiment amical, il lui a demandé des explications sur la portée des Décrets relatifs aux écoles de Tunisie.

"M. Goblet a répondu que le Cabinet Français, tout en désirant agir dans les limites des droits appartenant au Bey et au Protectorat, n'entendait méconnaître aucune des obligations qui résultent des engagements antérieurs.

"Il a ajouté qu'il avait la conviction que les instructions données à notre Représentant, M. Massicault, permettraient vraisemblablement d'arriver à Tunis à un accord satisfaisant."

No. 2.

Consul Ricketts to the Marquis of Salisbury.—(Received October 2.)

(No. 16.)

My Lord,

Tunis, September 25, 1888.

I HAVE the honour to transmit herewith inclosed to your Lordship a Decree signed by the Bey of the Regency, and countersigned by the Resident, laying down certain Rules for the guidance of persons in charge of the public and private schools of this country.

There are in Tunis five Italian schools, some of which are supported by the Italian Government; six French schools; numerous Arab schools and colleges; and two schools belonging to a British Missionary Society established for the purpose of instructing and converting the poor Jews of this place.

The population of this country is said to be composed of: French, 4,000; of foreigners, 45,000, chiefly Italians and Maltese; and Arabs, 1,300,000; so the effect of this Decree will be to force the language of a very insignificant minority on the masses, giving the French authorities at the same time a right to interfere in these establishments, and depriving the Italians and others of that freedom of action which has long been enjoyed by them in the management of their own schools, for up to the present moment they have never been molested or interfered with in this respect by the authorities of the Bey's Government, a mark of the tolerant spirit exercised by the Moslems towards all foreigners residing among them.

I have at the same time also the honour to forward herewith inclosed to your Lordship a Decree of the 15th September, 1888, establishing certain Rules for the regulation of Associations in Tunis, and compelling all persons forming an Association to make this fact known to the Contrôleur Civil, allowing no Society to be formed without the permission of the authorities and inflicting fines for the slightest breach of the Rules promulgated.

It follows from this that no Masonic lodge or club can be established without the permission of the authorities, nor can the Società Patriottica Italiana and Società Patriottica Maltese continue their functions should they not conform to the terms of this Decree.

The Società Patriottica Maltese has been established here for many years past, its principal object being to assist any of its members who may be found in distress. It is, in short, a Benevolent Society similar to those we find in many other countries, and which for the most part are exempt from any such interference as is mentioned in the Regulations above cited.

The Treaty of 1875 appears to be silent as regards the existence and organization of schools and Societies, but in Article V it states, "that our subjects shall be free to reside in any part of the Regency without hindrance or molestation, that they shall be

treated with honour, and their dwellings respected." The question then arises for the consideration of your Lordship as to whether or not the French authorities have the right of entering the dwellings of British subjects and others for the purpose of carrying into execution the Decrees above mentioned.

Awaiting your Lordship's reply on this matter, I have, &c.

(Signed) G. T. RICKETTS.

Inclosure in No. 2.

Extract from the "Journal Officiel Tunisien" of September 20, 1888.

Loi du 9 Moharrem, 1306 (15 Septembre, 1888), sur l'Enseignement en Tunisie.

(Louanges à Dieu.)

NOUS, Ali Bey, possesseur du Royaume de Tunis,

Après un examen approfondi des Lois qui régissent dans la République Française les matières si importantes de l'enseignement;

Considérant que, dans un intérêt d'ordre public, de moralité, et de civilisation, il ne peut y avoir que les plus grands avantages à appliquer leurs principales dispositions dans notre pays, pour y développer l'instruction et l'entourer des garanties nécessaires;

En conformité de l'Article 1^{er} de la Convention du 8 Juin, 1883, passée par nous avec le Gouvernement de la République Française;

Avons promulgué et promulguons dans la Régence les Articles ci-après, dont la teneur est empruntée aux Lois Françaises sur l'enseignement des 15 Mars, 1850, et 30 Octobre, 1886:—

CHAPITRE I^{er}.—Des Écoles et de l'Inspection.

Section 1^{re}.—Des Écoles.

Article 1^{er}. La Loi reconnaît deux espèces d'écoles primaires ou secondaires:—

(1.) Les écoles fondées ou entretenues par les communes ou l'État et qui prennent le nom d'écoles publiques;

(2.) Les écoles fondées ou entretenues par des particuliers ou des Associations et qui prennent le nom d'écoles privées.

Dans toutes les écoles primaires ou secondaires, le Français doit être enseigné.

Section 2.—De l'Inspection.

Art. 2. L'inspection des établissements scolaires s'exerce par le Directeur de l'Enseignement Public de la Régence ou ses délégués. Celle des écoles privées porte sur la moralité, l'hygiène, et la salubrité.

Elle vérifie si l'enseignement n'y est pas contraire à la morale et aux lois du pays, et si la langue Française y est enseignée.

Art. 3. Tout chef d'établissement primaire ou secondaire qui refusera de se soumettre à la surveillance de l'État, telle qu'elle est prescrite par l'Article précédent, sera traduit devant le Tribunal Correctionnel et condamné à une amende de 100 fr. à 1,000 fr.

En cas de récidive, l'amende sera de 500 fr. à 3,000 fr. Se le refus de se soumettre à la surveillance de l'État a donné lieu à deux condamnations dans l'année, la fermeture de l'établissement pourra être ordonnée par le Jugement qui prononce la seconde condamnation.

Le procès-verbal des Inspecteurs constatant le refus du chef d'établissement fera foi jusqu'à inscription de faux.

CHAPITRE II.—Des Instituteurs.

Section 1^{re}.—Des Conditions d'Exercice de la Profession d'Instituteur Primaire, public ou privé.

Art. 4. Toute personne âgée de 21 ans peut exercer dans la Régence la profession d'instituteur primaire, public ou privé, si elle est munie d'un brevet de capacité régulièrement délivré, soit dans la Régence, soit dans une Université étrangère. Le Directeur de l'Enseignement Public est juge de la validité des brevets; il peut accorder des dispenses d'âge.

Art. 5. Sont incapables de tenir une école publique ou privée, ou d'y être employés, les individus qui ont subi une condamnation pour crime, ou pour délit contraire à la probité ou aux mœurs, les individus privés par Jugement de tout ou partie des droits civiques, civils, et de famille, et ceux qui auront été interdits en vertu de la présente Loi.

Art. 6. Tout instituteur qui veut ouvrir une école privée doit préalablement déclarer son intention au Contrôleur Civil et au Procureur de la République de l'arrondissement où il veut s'établir, leur désigner le local, et leur donner l'indication des lieux où il a résidé et des professions qu'il a exercées pendant les dix années précédentes.

Cette déclaration demeurera affichée par les soins du Contrôleur Civil à la porte du Contrôle pendant un mois.

Art. 7. Le Contrôleur Civil et le Procureur de la République peuvent former opposition à l'ouverture de l'école, dans l'intérêt des mœurs publiques ou de la loi, ou par refus d'approbation du local, dans le mois qui suit la déclaration.

Il est statué sur cette opposition, la partie entendue ou dûment appelée, par le Conseil de l'Instruction Publique institué à l'Article 13 de la présente Loi.

A défaut d'opposition, l'école peut être ouverte à l'expiration du mois, sans autre formalité.

Si l'école doit être mixte, une autorisation spéciale du Directeur de l'Enseignement Public sera nécessaire.

Art. 8. Quiconque aura ouvert ou dirigé une école, en contravention aux Articles précédents, sera poursuivi et condamné à une amende de 50 fr. à 400 fr. L'école sera fermée.

En cas de récidive, le délinquant sera condamné à un emprisonnement de six jours à un mois, et à une amende de 100 fr. à 1,000 fr.

Art. 9. Tout instituteur privé, sur la plainte du Contrôleur Civil ou du Procureur de la République, pourra être, pour cause de faute grave dans l'exercice de ses fonctions, d'inconduite, ou d'immoralité, déféré au Conseil de l'Instruction Publique et être censuré, suspendu, ou interdit de l'exercice de sa profession.

Section 2.—Des Etablissements particuliers d'Instruction Secondaire.

Art. 10. Toute personne, âgée de 25 ans au moins et n'ayant encouru aucune des incapacités prévues par la présente Loi, peut fonder un établissement d'instruction secondaire, sous la condition de faire au Contrôleur Civil et au Procureur de la République de l'arrondissement où elle se propose de s'établir, les déclarations prescrites par l'Article 6, et, en outre, de déposer entre les mains du Contrôleur Civil les pièces suivantes, dont il lui sera donné récépissé :—

1. Un certificat de stage constatant qu'elle a rempli, pendant cinq ans au moins, les fonctions de professeur ou de surveillant dans un établissement secondaire, public ou privé;

2. Un diplôme de bachelier, ou un équivalent; le Directeur de l'Enseignement Public sera juge de la validité des diplômes;

3. Le plan du local et l'indication de l'objet de l'enseignement.

Des dispenses d'âge peuvent être accordées par le Directeur de l'Enseignement Public.

Les Articles 5, 7, et 8 ci-dessus sont applicables aux personnes voulant ouvrir des établissements secondaires.

Art. 11. En cas de désordre grave dans le régime intérieur d'un établissement privé d'instruction secondaire, le chef de cet établissement peut être appelé devant le Conseil de l'Instruction Publique et soumis à la réprimande, avec ou sans publicité.

Art. 12. Tout chef d'établissement privé d'instruction secondaire, toute personne

attachée à la surveillance d'une maison d'éducation peuvent, sur la plainte du Contrôleur Civil ou du Ministère Public, être traduits, pour cause d'inconduite et d'immoralité, devant le Conseil d'Instruction Publique et être interdits de leur profession, à temps ou à toujours, sans préjudice des peines encourues pour crimes ou délits prévus par les lois.

CHAPITRE III.—Conseil de l'Instruction Publique.

Art. 13. Il est établi dans la Régence un Conseil de l'Instruction Publique, composé ainsi qu'il suit :—

Le Directeur de l'Enseignement Public, Président;

Un Inspecteur des Écoles Primaires;

Le Professeur à la Chaire Publique d'Arabe;

L'Inspecteur-Général des Études Arabes;

Le Directeur du Collège Sadiki;

Le Directeur du Collège Alaoui;

Un Professeur de la Grande Mosquée, désigné par ses collègues;

Le Directeur du Collège Saint-Charles;

Un Professeur du dit collège nommé par ses collègues;

Le Contrôleur Civil de Tunis;

Le Président et le Procureur de la République du Tribunal de Tunis;

Trois Directeurs d'écoles privées désignées par le Directeur de l'Enseignement Public.

Art. 14. Les membres du Conseil de l'Instruction Publique sont nommés pour trois ans.

Art. 15. Le Conseil de l'Instruction Publique donne son avis :—

Sur les réformes à introduire dans l'enseignement, la discipline, et l'administration des écoles publiques;

Sur les budgets de ces écoles.

Il instruit les affaires disciplinaires relatives aux membres de l'enseignement.

Il prononce sur les affaires contentieuses relatives à l'ouverture des écoles privées, aux droits des maîtres particuliers, et à l'exercice du droit d'enseigner, sur les poursuites dirigées contre les membres de l'enseignement primaire ou secondaire, dans les cas déterminés par la présente Loi.

CHAPITRE IV.—Dispositions Diverses.

Art. 16. Les Directeurs de chaque école devront tenir un registre, sur lequel seront inscrits les noms des élèves, la date de leur naissance, l'époque de leur entrée à l'école, le nom et le domicile de leurs parents.

Art. 17. Les châtimens corporels sont interdits.

Vu pour promulgation et mise à exécution :

Le Chargé d'Affaires de France.

délégué à la Résidence Générale de la République Française,
(Signé) G. BENOIT.

Tunis, le 16 Septembre, 1888.

Loi du 9 Moharrem, 1306 (15 Septembre, 1888), sur les Associations.

(Louanges à Dieu.)

Nous, Ali Bey, possesseur du Royaume de Tunis,
Considérant que, dans un intérêt d'ordre public, il y a lieu de réglementer en Tunisie les Associations;

Et en conformité de l'Article I^{er} de la Convention passée par nous le 8 Juin, 1883, avec le Gouvernement de la République Française;

Avons promulgué et promulguons dans la Régence de Tunis la Loi ci-après

Article 1^{er}. Toutes personnes voulant former une Association devront faire au Contrôleur Civil et au Procureur de la République de l'Arrondissement une déclaration énonçant :—

1. L'objet et le nom de l'Association.
 2. Les noms, âge, profession, et domicile des fondateurs, et spécialement de ceux qui doivent représenter l'Association, comme Présidents, Directeurs, Administrateurs, ou sous toute autre dénomination.

3. Le siège de l'Association.

Les statuts de l'Association devront être en outre déposés.

Art. 2. Nulle Association ne peut se constituer qu'avec l'autorisation du Gouvernement, qui fera connaître sa décision dans le délai d'un mois. Cette autorisation est toujours révocable.

Art. 3. Toute modification aux statuts d'une Association, tout changement dans le personnel des administrateurs, doivent être déclarés et autorisés dans les mêmes formes que ci-dessus.

Art. 4. Toute Association qui se sera formée sans autorisation sera dissoute.

Les chefs, Directeurs, ou administrateurs de l'Association seront, en outre, punis d'une amende de 16 fr. à 200 fr.

Les mêmes dispositions pourront être appliquées, en cas d'infraction aux Statuts d'une Association dûment autorisée.

Art. 5. Si, par discours, exhortations, invocations, ou prières, en quelque langue que ce soit, ou par lecture, affiche, publication, ou distribution d'écrits quelconques, il a été fait, dans les réunions tenues par l'Association, quelque provocation à des crimes ou à des délits, la peine sera de 100 fr. à 300 fr. d'amende, et de trois mois à deux ans d'emprisonnement contre les chefs, Directeurs, et administrateurs de ces Associations, sans préjudice des peines plus fortes qui seraient portées par la loi contre les individus personnellement coupables de la provocation, lesquels, en aucun cas, ne pourront être punis d'une peine moindre que celle infligée aux chefs, Directeurs, et administrateurs de l'Association.

Art. 6. Tout individu qui, sans la permission du Contrôleur Civil, aura accordé et consenti l'usage de sa maison ou de son appartement, en tout ou en partie, pour la réunion des membres d'une Association non autorisée, sera puni d'une amende de 16 fr. à 200 fr.

Art. 7. Aucun établissement d'enseignement privé, aucune Association quelconque ne peut être reconnu d'utilité publique autrement que par un Décret qui déterminera la quotité des biens, meubles ou immeubles, que l'Association ou l'établissement pourra posséder.

Toute acquisition dépassant cette quotité sera nulle de plein droit.

Le bénéfice de la reconnaissance d'utilité publique peut toujours être retiré par Décret.

Les dispositions à titre gratuit faites en faveur d'un établissement ou d'une Association reconnue d'utilité publique, ne pourront avoir leur effet qu'après avoir été autorisées par un Décret spécial.

Art. 8. Toute acquisition à titre gratuit ou onéreux faite par une Association simplement autorisée, soit directement, soit au moyen de personnes interposées, soit au moyen de l'adjonction d'une convention de société, soit par toute autre voie indirecte, est nulle de plein droit.

Toutefois les acquisitions d'immeubles nécessaires aux réunions ou au fonctionnement de l'Association peuvent être autorisées par Décret.

Art. 9. La nullité des dispositions ou acquisitions faites contrairement à la présente Loi et postérieurement à sa promulgation peut être poursuivie devant les Tribunaux Civils par toute personne intéressée, même par les donateurs ou les vendeurs, et par le Ministère Public. Les biens faisant l'objet des actes annulés font retour aux ayants droit. S'il s'agit de biens acquis à titre onéreux, ces biens ou leur valeur, si le vendeur en offre le remboursement, sont attribués à l'État, qui les consacrera à des œuvres d'assistance ou de prévoyance.

Vu pour promulgation et mise à exécution :

Le Chargé d'Affaires de France,
 délégué à la Résidence Générale de la République Française,
 (Signé) G. BENOIT.

Tunis, le 16 Septembre, 1888.

No. 3.

Consul Ricketts to the Marquis of Salisbury.—(Received October 5.)

(No. 17.)

My Lord,

Tunis, September 29, 1888.

I HAVE the honour to transmit herewith inclosed to your Lordship an amendment to the Decree of the 15th September, 1888, forwarded in my despatch No. 16 of the 25th of this month, in reference to the administration of schools in this country, to the effect that the person in fault will not be brought before the Tribunals, but will be condemned to the payment of a fine.

The ostensible object of the publication of this Decree is the necessity of promoting the language of the French among all classes, but the real aim would seem to be the destruction of the influence established here by Italy.

The Italians will not, however, from what I hear, be found to submit to this infringement of their privileges.

They state their schools are not private schools but public places of instruction, established and supported for a long time past at the expense of the Italian Government. Their professors being appointed by the Italian Government and receiving their instructions from the Italian Consul, are, they assert, not amenable to the French Regulations embodied in the Decree of the 15th instant. Any attempt, therefore, to interfere in the administration of this Department, which has for so long been confided to the care of the Consular authority, can only be viewed in the light of a desire to change the status of that functionary and to curtail the privileges and immunities hitherto enjoyed by him, the maintenance of which, though the Consular jurisdiction was suspended, was guaranteed by the arrangement entered into in 1883 (as mentioned in the reply made by Count d'Aunay of the 20th July, 1883, to a Memorandum from the Earl of Granville), and also by the terms of Article 2 of the Protocol signed at Rome by MM. Mancini and Decrais on the 25th January, 1884.

Such being the opinion of the Italians as regards this matter, it remains to be seen what course will be adopted by the French authorities in endeavouring to put into execution the various Regulations set forth in the document herein spoken of.

I have, &c.

(Signed) G. T. RICKETTS.

Inclosure in No. 3.

Erratum à la Loi du 9 Moharrem, 1306 (15 Septembre, 1888), sur l'Enseignement en Tunisie. ("Journal Officiel Tunisien" No 38 du 20 Septembre, 1888).

L'ARTICLE 3 de la Loi sur l'Enseignement en Tunisie doit être rectifiée ainsi qu'il suit:—

Au lieu de—

"Tout chef d'établissement primaire ou secondaire qui refusera de se soumettre à la surveillance de l'État, telle qu'elle est prescrite par l'Article précédent, sera traduit devant le Tribunal Correctionnel et condamné à une amende de 100 fr. à 1,000 fr. . . ."

Lire—

"Tout chef d'établissement primaire ou secondaire qui refusera de se soumettre à la surveillance de l'État, telle qu'elle est prescrite par l'Article précédent, sera poursuivi et condamné à une amende de 100 fr. à 1,000 fr. . . ."

No. 4.

Sir W. K. Green to the Marquis of Salisbury.—(Received October 6.)

(No. 114.)

My Lord,

Tangier, September 30, 1888.

I HAVE the honour to report, for your Lordship's information, that letters received by me from the Shereefian Court at Mequinez, under date of the 25th instant, presage that the Sultan's proposed visit to Tangier will not take place this autumn, and has been postponed for the coming spring, though Mulai Hassan's surroundings wish it to be inferred that the journey for this season has not yet been given up.

I also learn from Mequinez that the Sultan's health is still far from satisfactory, and that His Shereefian Majesty is not altogether easy in his mind about the Berber tribes whom he recently subdued. One of the newly-appointed Governors over the Beni 'Mgilid has been murdered, and the other authorities there are barely recognized by the mountaineers.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 5.

Memorandum by Sir J. Pouncefote on the Decree of the Bey respecting Schools, &c., in the Regency.

THIS measure is most probably one of retaliation against Italy in consequence of the recent Massowah incident.

There is a marked difference, however, between the position of the Italians at Massowah and that of the French in Tunis.

At Massowah the Italians have assumed the entire and absolute government and administration of the place, and have *de facto* superseded all former and other sovereign rights. But in Tunis the Government of the Bey still exists, and, whatever may be the influence and control of the French Government over that Ruler, the international position is different from that of Massowah. Moreover, the limits of the right of France to make any change (as against foreign Powers) in the order of things existing at the date of the establishment of the French Protectorate were carefully defined in the diplomatic correspondence of the time, and, in the case of Italy, by a formal Protocol, dated the 25th January, 1884.

The French, by their Treaty with the Bey of the 12th May, 1881 (Parliamentary Paper, "Tunis No. 6, 1881," p. 52), acquired no right to legislate for the Regency.

Legislation in Tunis is still the legislation of the Bey, though inspired by the French Government. Thus, when the other Powers agreed to abolish their Consular Courts, and to place their subjects, as regards the administration of civil and criminal justice, under the jurisdiction of the new French Tribunals, this arrangement was carried out, not by a French Law, but by a *Decree of the Bey* adopting and promulgating the French "*Loi portant sur l'organisation de la Juridiction Française en Tunisie*," and subjecting all foreigners, with the consent of their respective Governments, to the jurisdiction of those Tribunals (Confidential Print, No. 48, p. 35, and No. 52, Inclosure 2, p. 41).

The Powers certainly agreed to the application of French civil and criminal law to their subjects by the French Tribunals; but they did not agree to submit them to any new legislation which the Bey, with the advice of the French Government, might attempt to promulgate in defiance of the Capitulations and usages. If France had assumed the government and administration *de facto*, to the exclusion of the native Government (as the Austrians did in Bosnia and Herzegovina, as we did in Cyprus, and as the Italians have done at Massowah), there would have been an end of the Capitulations. But in Tunis the French have maintained the Government of the Bey, and (although they affect the contrary) we took great care to record that we only consented to waive the Capitulations "to the extent which might be required to give full scope to the exercise of civil and criminal jurisdiction over British subjects by the new French Tribunals." (Lord Granville to M. Tissot, 20th June, 1883, Confidential Print, p. 51: see also Lord Granville's reply to Lord De La Warr in the House of Lords, *ibid.*, p. 61.)

Turning now to the express engagements of France with the other Powers, and firstly with England, it is important to examine the correspondence between Lord Lyons and M. Barthélemy de St. Hilaire in 1881 (Parliamentary Paper, "Tunis No. 6, 1881," No. 45, pp. 42-46), and Lord Granville's note to M. Challemlacour of the 20th May of that year (*ibid.*, p. 55), as defining the precise scope of the French Protectorate.

M. Barthélemy St. Hilaire, in his note to Lord Lyons of the 16th May, 1881, gave the assurance, among others ("Tunis No. 6, 1881," p. 45), that no changes in the state of things assured by existing Conventions with foreign Powers would be proceeded with, except in agreement with those Powers; and Mr. Plunkett stated to M. Duclerc, under instructions from Lord Granville, that in agreeing to waive the British Consular jurisdiction in Tunis, Her Majesty's Government reserved all the other rights and privileges, commercial and otherwise, guaranteed to them by Treaties, and continued to rely on the assurances given by M. Barthélemy St. Hilaire (Correspondence, p. 7). Lord Granville

also, in his note to M. Challemlacour of the 20th May, 1881 ("Tunis No. 6, 1881," p. 55), stated that Her Majesty's Government regarded those assurances as an international engagement.

I would next refer to Count d'Aunay's note of the 10th May, 1883 (Confidential Print, No. 52, p. 38), in which he explains that British subjects will be in no wise prejudiced by submitting to the jurisdiction of the new French Tribunals, which, he declared, would apply French law as in France in the exercise of their civil and criminal jurisdiction.

The next document of importance is Lord Granville's note to M. Tissot of the 20th June, 1883 (Confidential Print, No. 72, p. 51), making the distinct reservation above mentioned as to the Capitulations, and submitting various questions in relation to the new Tribunals; finally, Count d'Aunay's note of the 20th July, in reply to those inquiries (*ibid.*, No. 86, p. 60), as to which I would draw attention to the last paragraph under the heading of "Observations Générales."

As regards Italy, I would refer, in the first place, to the *aide-mémoire* given to the French Ambassador at Rome (*ibid.*, p. 64) in July 1883, and to the Franco-Italian Protocol of the 25th January, 1884 (see separate printed copy), which, by paragraph 2, expressly reserves all rights, usages, and immunities assured by the Capitulations, subject only to the transfer of the Italian Consular jurisdiction to the new French Tribunals.

Count Robilant, in his note of the 24th September, 1888, appeals to that Protocol, and also to the Italian Treaty of the 8th September, 1868, in support of the contention of his Government that the new Law in question cannot be applied to Italians. (Great Britain is entitled to benefit by any provision of that Treaty by virtue of the most-favoured-nation clause of the Anglo-Tunisian Treaty.)

I venture to think that the Italian contention is right, and that we are entitled to claim the same immunity for British subjects.

The real question appears to me to be whether before the date of the French Protectorate the Bey could have subjected foreigners to the provisions of such a Decree consistently with the Capitulations and usages. If not, he has no power to do so now. Foreign Governments only waived the Capitulations to the extent of rendering their subjects amenable to the jurisdiction of the new French Tribunals. The British Order in Council abolishing our Consular jurisdiction in the Regency (31st December, 1883) was framed on the Order in Council of the 5th February, 1876, suspending our Consular jurisdiction in Egypt as regards mixed cases which came within the jurisdiction of the new Mixed Tribunals. I conceive that, in Tunis, the new French Tribunals can only enforce Decrees of the Bey which have been assented to by the Powers, precisely as, in Egypt, the Mixed Courts can only administer Laws to which the Powers have given their adhesion.

J. P.

Foreign Office, October 6, 1888.

No. 6.

Mr. J. G. Kennedy to the Marquis of Salisbury.—(Received October 7, 5 P.M.)

(No. 38.)
(Telegraphic.)

Rome, October 7, 1888, 3.20 P.M.

SIGNOR CRISPI told me yesterday that he had protested at Paris against, and that he intended to resist, Decree imposing inspection on all schools in Tunis.

No. 7.

Mr. Egerton to the Marquis of Salisbury.—(Received October 8.)

(No. 506.)
My Lord,

Paris, October 4, 1888.

I HAVE the honour to report, with reference to my Nos. 492 and 499 of the 27th and 30th ultimo, that the Italian Minister signified yesterday to the French Minister for Foreign Affairs that his Government could not recognize, as regards the Italian schools in Tunis, the recent legislation of the Bey.

I have, &c.

(Signed) EDWIN H. EGERTON.

No. 8.

Sir E. Malet to the Marquis of Salisbury.—(Received October 10.)

(No. 302. Confidential.)

My Lord,

Berlin, October 6, 1888.

WITH reference to Mr. Egerton's despatch No. 492 of the 27th ultimo, which appears in the Confidential print sent to me by the last messenger, which incloses the text of the Law recently published in Tunis with reference to education, I have the honour to inform your Lordship that Herr von Holstein informed me to-day that the German Ambassador had been instructed to make representations to the French Government on the subject of the Law, and to intimate that the German Government were not prepared to acquiesce in its application.

Herr von Holstein added very confidentially that this step had been taken in order to prevent a bipartite controversy on the matter between Signor Crispi and M. Goblet, which might become acrimonious. By becoming party to it, the German Government hoped to restrain the vigour of Signor Crispi, and to modify M. Goblet's attitude by the consideration that Italy was not alone in disapproving of the Law. "Of course," added Herr von Holstein, "if we wanted war, we should not mind these fountains of bitterness between France and Italy, which are continually springing up; but, as we do not, we must keep a careful eye upon them."

I have, &c.

(Signed) EDWARD B. MALET.

No. 9.

Count Robilant to the Marquis of Salisbury.—(Received October 10.)

(Translation.)

My Lord,

Italian Embassy, October 8, 1888.

WITH reference to my note of the 24th ultimo on the subject of the new Law with regard to schools in Tunis, I have the honour to state to your Lordship that Signor Crispi has expressed a wish to be informed of the views of Her Majesty's Government on the applicability of that Law to the English school founded in the Regency by the London Jews Society. He wishes to know whether Her Majesty's Government intend to allow the law to be applied, and to admit its validity, or whether they propose to declare it inapplicable and void with regard to the British school, as the Italian Government have done with reference to the numerous Italian schools in Tunis.

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I should be extremely obliged if your Lordship would enable me to answer Signor Crispi's inquiry, and I avail, &c.

(Signed) C. ROBILANT.

No. 10.

Sir W. K. Green to the Marquis of Salisbury.—(Received October 15.)

(No. 9. Secret.)
(Telegraphic.)

Tangier, October 14, 1888.

THE Sultan has arrived at Fez. I learn from a most trustworthy informant that His Majesty is exceedingly ill, and not likely to recover.

My informant does not think His Majesty will last many weeks, but I presume this is a conclusion drawn from the belief that His Majesty's malady appears to be incurable, and that the end may not be quite so near.

Internal troubles may be expected on the demise of the Sultan, and it is almost certain that a member of the Driseen family will be elected as successor.

No. 11.

Sir W. K. Green to the Marquis of Salisbury.—(Received October 15.)

(No. 10. Secret.)
(Telegraphic.)

Tangier, October 14, 1888.

NOTWITHSTANDING the repeated and detailed assurances given me by my Spanish colleague, that he has remained an absolute stranger to the question between Portugal and the Moorish Government, I am informed by a person on whom I can rely that the Sultan is encouraged to persist in his determination to refuse compliance with the Portuguese demands.

A Portuguese iron-clad has just joined the two ships of war already here.

No. 12.

The Marquis of Salisbury to the Earl of Lytton.

(No. 482.)

My Lord,

Foreign Office, October 15, 1888.

THE French Chargé d'Affaires spoke to me on the 13th instant on the question of the Tunis schools. He seemed much impressed with the hostile tone and temper of the Italian Government.

I stated to him that, in my opinion, the Decree as to the inspection of foreign schools in Tunis was unnecessary and inopportune, but that I did not in the least think it likely that the Italian Government nourished any designs of a warlike character against France.

M. Jusserand told me that the Italians had intimated their intention of rescinding the Protocol they had signed in respect to their rights under the Capitulations in Tunis. I said this would be a very strong measure, but I entertained very great doubt of their taking any such step.

I am, &c.
(Signed) SALISBURY.

No. 13.

The Marquis of Salisbury to Count Robilant.

M. l'Ambassadeur,

Foreign Office, October 16, 1888.

WITH reference to your Excellency's note of the 8th instant, inquiring whether Her Majesty's Government intend to admit the validity of the recent law regarding schools in Tunis, I have the honour to inform you that the question is still under

careful consideration, and I shall lose no time in replying to your Excellency's inquiry as soon as a decision has been arrived at.

I have, &c.
(Signed) SALISBURY.

No. 14.

Sir G. Bonham to the Marquis of Salisbury.—(Received October 17.)

(No. 55.)
My Lord,

Lisbon, October 11, 1888.

AS conflicting statements have been published with regard to the action taken by the Portuguese Government, in consequence of the outrages inflicted on the crews of two Portuguese fishing-boats by the Moorish population at Laraiche, as reported in Sir W. K. Green's despatch No. 199 of the 5th ultimo, a copy of which was forwarded to this Legation in your Lordship's despatch No. 21 of the 24th ultimo, I yesterday took an opportunity of speaking to Senhor Barros Gomes on the subject. He said that the accounts published contained many exaggerations. As to the compensation demanded, the amount had not been fixed, but had been left to the Sultan's sense of generosity. The Portuguese Representative had, however, been instructed to insist on a salute to the Portuguese flag, and on the punishment of some official of a higher rank than the one who had been dismissed, these two points being considered necessary to impress the native population with a sense of the gravity of their misdeeds.

The "Rainha de Portugal" remains at Tangier, and the "Vasco da Gama," which is returning from the Mediterranean, will also proceed there.

I have, &c.
(Signed) G. F. BONHAM.

No. 15.

Sir W. K. Green to the Marquis of Salisbury.—(Received October 20.)

(No. 116.)
My Lord,

Tangier, October 12, 1888.

WITH reference to my despatch No. 109 of the 3rd ultimo, on the subject of the satisfaction demanded of the Moorish Government by the Portuguese Minister for the disregard with which the Portuguese flag was treated when some fishermen hoisted it on their vessels, to which they had been driven by the assaults of an excited crowd of Mussulmans at Laraiche, I regret to have to report to your Lordship that the Sultan has declined to afford any further reparation than the dismissal from the employ of the Laraiche Captain of the Port of the man who represented that functionary in the matter which gave rise to the attack on the Portuguese fishermen.

Senhor Colaço contends, with the approval of the Portuguese Government, that neither the Captain of the Port nor the Acting Governor of Laraiche having in the remotest way intervened to put a stop to the tumult caused by the injudicious action of one who was merely employed by the Captain of the Port, and not holding an official position under the Moorish Government, no reparation has really been made by the withdrawal from the exercise of temporary powers of the Captain of the Port's *lobum tenens*.

The Portuguese Minister, therefore, yesterday addressed a note to Cid El-Hadj Mohamed Torres informing him that he had been directed by Senhor Barros Gomes to state that the Portuguese Government considered their Representative had shown the greatest moderation in the whole matter, and that the demand for a formal salute by the Moorish batteries at Tangier of the Portuguese flag was the least satisfaction that could be given after the disregard shown for it. Half-a-dozen affrighted fishermen had expected it would shelter them from the savage attacks of a fanatical crowd, and the precedent that it did not do so in Morocco would not be tolerated.

Senhor Colaço tells me that absolutely no demand for pecuniary compensation for the injuries sustained by the fishermen has been made, and that it is even uncertain whether the liquidation of the doctor's bill for the treatment at Laraiche of those who had been wounded will be demanded.

My Spanish and French colleagues both assure me that they have, like myself,

in this question entirely abstained from offering the least advice to the Moorish Government, as they never expected that there would be the slightest hesitation on the part of the Sultan in acceding to Senhor Colaço's very modest demands.

I was especially glad to learn that this was so from Señor Diosdado, as local public opinion lays to his charge, as it did during the recent Mauro-American misunderstandings, the unwillingness of His Shereefian Majesty to follow a conciliatory course.

Advice tending to encourage the Sultan to keep alive friction with however small a foreign State, can only end in embroiling Morocco in a quarrel certain to end to its disadvantage, for even Portugal could inflict much injury on Maroquine territory and interests without any fear of retaliation. Besides, if the Sultan's obstinacy in the present instance should end in being overlooked, an occasion would be sure to quickly arise when His Majesty's success in the present instance would mislead him into declining to give way, and thus bring about a severe chastisement at the hands of some strong Power.

Senhor Colaço informs me that, if after a proper lapse of time his note of yesterday does not receive a satisfactory reply, the Portuguese Government is resolved upon acting in an energetic manner.

The men-of-war "Reinha de Portugal" and the "Africa" are already in the Tangier roadstead, and are to be strengthened immediately by the iron-clad "Vasco de Gama."

I have, &c.
(Signed) W. KIRBY GREEN.

No. 16.

Mr. J. G. Kennedy to the Marquis of Salisbury.—(Received October 22.)

(No. 256. Ext. 38.)

My Lord,

Rome, October 7, 1888.

I HAVE the honour to report that Signor Crispi yesterday informed me that he had protested at Paris against the Decree imposing inspection on all schools in Tunis, and that he meant to persist in his resistance to it.

I have, &c.
(Signed) J. G. KENNEDY.

No. 17.

Mr. J. G. Kennedy to the Marquis of Salisbury.—(Received October 22.)

(No. 262. Confidential.)

My Lord,

Rome, October 9, 1888.

WITH reference to my telegram No. 38 of the 7th instant, I have the honour to report that Signor Crispi informed me on Saturday last, the 6th instant, that he would shortly send an answer to the inquiry made by Her Majesty's Government respecting Mixed Courts in Tunis, conveyed to me in your Lordship's despatch No. 105, Commercial, of the 14th ultimo, but that the views of the Italian Government coincided with those of Her Majesty's Government.

Signor Crispi then alluded to the official inspection in Tunis of all schools recently decreed by the French Government, against which he had, he said, formally protested, and which he meant to resist. His Excellency inquired of me whether Her Majesty's Government would not join with Italy in resistance to that measure.

I replied that I had heard nothing on the subject from your Lordship, and that, as far as I knew, Her Majesty's Government had no interest in the question.

Signor Crispi rejoined that there was a very important British school in Tunis, and that the question interested the large Maltese population of Tunis.

I have, &c.
(Signed) J. G. KENNEDY.

No. 18.

Mr. J. G. Kennedy to the Marquis of Salisbury.—(Received October 22.)

(No. 169. Commercial.)

My Lord,

Rome, October 18, 1888.

I HAVE the honour to transmit herewith translation of a note which I have received from Signor Crispi, in reply to your Lordship's despatch No. 105, Commercial, of the 14th September, respecting the Decree revoking the authority of the French Tribunals in Tunis to review the decisions of the Mixed Local Tribunals in real property cases, the substance of which I communicated to his Excellency on the 18th ultimo.

Signor Crispi observes that the suppression of the right of appeal from local Courts to the French Tribunals in Tunis would be a violation of existing Treaties, and would justify Italy in restoring her Consular jurisdiction, which is merely suspended, but not abolished.

His Excellency further expresses the readiness of the Italian Government to join with that of Her Majesty in any action for the maintenance of their common rights and interests in this matter.

I have, &c.
(Signed) J. G. KENNEDY.

Inclosure in No. 18.

Signor Crispi to Mr. J. G. Kennedy.

(Translation.)

M. le Chargé d'Affaires,

Foreign Office, Rome, October 16, 1888.

I BEG to acknowledge your note of the 18th September last.

The Decree of the President of the French Republic, published in the "Journal Officiel Tunisien," depriving the French Tribunals in the Regency of the power of reviewing the decisions of the local Tribunals in cases concerning real property, was not communicated to me until to-day.

But if the practical effect of that Decree should be to deprive Italian citizens in Tunisia of the right of appeal or of the opportunity, afforded in certain cases to the defendant, of declining the jurisdiction of the Tunisian Courts, it seems to me that this would be a violation of the XXIInd Article of the Treaty of the 8th September, 1868, still in force between Italy and Tunis, according to which the defeated party shall always have the right of appealing to the competent Courts, and the defendant, in suits between two Italians, or between an Italian and a subject of a third Power, shall have the right of having the case brought before their respective Consular authorities, and through them to the existing French Tribunal.

With regard to this matter, it is well to point out that the Protocol of the 25th January, 1884, by which Italy, trusting that in Tunis justice would be administered by Magistrates of a Christian and civilized nation, consented to the suspension in that State of her own Consular jurisdiction, stipulated that the Treaties concluded with the Bey should continue in force, and also stated that the new system of jurisdiction might not be subsequently altered, except with the express assent of the King's Government.

Consequently, if now the Government of Paris shows signs of disregarding these Treaties by altering, of its sole authority and by one-sided measures, the jurisdiction of the French Tribunal at Tunis, Italy would, *ipso facto*, be fully entitled to revive her own Consular jurisdiction in that State, which was suspended temporarily, and never abolished.

The King's Government will, therefore, readily join that of Her Majesty in any action which it may take for the purpose of causing their common rights and interests in Tunis to be respected on this as on other occasions.

I avail, &c.
(Signed) F. CRISPI.

Sir W. K. Green to the Marquis of Salisbury.—(Received October 22.)

(No. 117.)

My Lord,

Tangier, October 14, 1888.

UPWARDS of six months have elapsed in the continuous expectation of a visit from the Sultan to Tangier. The prospect of being able at an early date to bring many pressing questions under Mulai Hassan's personal notice led to the unchallenged acceptance of delay in their solution.

One of the most serious of these questions is the system of silence or disregard followed by the Shereefian Government towards the representations made to it, whether with regard to particular claims, or to matters concerning the conduct of the Moorish authorities, or the policy of the Government itself in its intercourse with foreigners.

The system of silence, however, does not date back only from the announcement of the Sultan's visit to Tangier; it is of more gradual and much older growth, and thus has furnished every foreign Legation at Tangier with long records of neglected demands and of advice unheeded, whereby, the need arising, a question based on fair grounds could be quickly formulated against the Shereefian Government by any Power which is represented here.

This, coupled with the facts that the present political organism of Morocco is entirely dependent on the life—a most precarious one—of Mulai Hassan, and that the public in Europe is daily becoming better acquainted with the almost incredible shortcomings of Moorish rule, and therefore less tolerant towards it, removes all stability from the position of affairs in this country.

But, happily, it is asserted by all the Powers having interests in Morocco that a change of mastership in the Empire is to be deprecated. Yet it could not be avoided should this land be plunged into the disorder and anarchy which is expected on all sides should Mulai Hassan die without having had time to indicate an acceptable successor, or should the Moorish Government persist much longer in its policy of *inertia*, or in the practice of playing one foreign Representative against another.

In the justness of these observations my Italian, German, Spanish, and French colleagues are all agreed. They all equally admit that an effort should be made to induce the Sultan to strengthen the hands of foreign Governments in maintaining the Shereefian rule in Morocco.

They equally accept that separate action on the part of any one of us would not be likely to meet with success. It would not put a stop to the Maroquine policy of making a shield of this or that Power, by flattering the hopes of its Representative of gaining paramount influence. There would be no use either in our attempting to give analogous advice to His Shereefian Majesty if we could not add that we each did so under the sanction of our respective Governments.

I trust your Lordship will not disapprove of my having discussed Maroquine affairs in the foregoing sense with certain of my colleagues. I was careful in each separate case not to do so until I had fairly ascertained that my views were not altogether at variance with those of my interlocutors, and that it was clearly understood that I was speaking on my own responsibility and without your Lordship's knowledge. I, moreover, expressly explained that I was aiming at nothing calculated to wound or injure the Moorish Government, but merely endeavouring to bring about an accord between ourselves to obtain from our Governments, through reports approaching similarity, instructions of a nature to enable us to meet the Sultan with advice, which, owing to the directness of its sources, should not fail to carry conviction to the mind of Mulai Hassan.

I pointed out to my colleagues—to some more fully than to others, as the case seemed to require—that through the influx of Europeans which was taking place at the Western ports, we were daily being called upon to obtain for them proper dwellings and other buildings requisite for commercial purposes, in accordance with Treaty stipulations. But, owing to the Sultan's declining to permit any one but himself to erect houses and stores at the ports, the demands of our countrymen could not be met. The arrangement which had hitherto existed of the Moorish authorities being directed to build, in accordance with applications on the payment of a yearly rent of 6 per cent. of the outlay incurred on the required buildings, could no longer be depended upon. Applications are now met by the issue of orders not intended to be executed, but simply given for the purpose of avoiding the request of the applicants

to be permitted to erect houses and other stores at their own cost. To such an extent is the Sultan's determination to prevent Europeans from acquiring house property on the coast carried, that they are not even allowed to employ, for the smallest or simplest repair of an article of furniture or other house requirement, a carpenter or mason except under official permission from the Basha of the town. If a native artizan ventures to work with a foreigner without such permission, he is immediately thrown into prison.

If a remedy is not speedily applied to such a state of things, a notice will soon have to be published that the Western ports of Morocco are not open to European enterprise except in the limited extent of the foreigners already established there.

I discussed in the same manner the standstill arrived at by the negotiations for the conclusion of a new Commercial Convention. Notwithstanding that Great Britain, Germany, and France had assumed the conduct of these negotiations, and that every concession in reason had been made to the narrow views of the Shereefian Government, no progress whatever in the negotiations had been attained. On the contrary, the Sultan had marked how little effect the logical arguments used by my predecessor, Sir John Drummond Hay, for more than ten years, had had on His Majesty's mind, by submitting for acceptance to Mr. White, just before my arrival in this country two years ago, the draft of what he considered would be an acceptable Convention. Mr. White very properly abstained from taking official notice of a proposal which annulled most of the advantages already possessed by us under existing Treaties (see my despatch No. 30, Commercial, of the 18th November, 1886).

I expressed the hope to my colleagues that, by united representation, the Sultan perhaps would comprehend how difficult it would be for friendly Governments to afford efficacious support to the independence of Morocco and the maintenance of the Shereefian rule if it persistently declined to remodel its Treaty engagements in accordance with those of other countries.

Finally, I joined with the questions of the housing of Europeans at the Western ports and of commercial improvement through a revision of existing Conventions, the need of the establishment of Mixed Tribunals, whereby guarantees for the proper administration of justice would be so obtained that the protection of natives by foreigners could be abolished.

Signor Cantagalli, to whom I spoke on these matters a week ago, prior to his departure on a hurried visit to Rome to receive Signor Crispi's verbal instructions regarding his approaching mission to the Sultan's Court, caused a Memorandum to be drawn up of the conversation I had held with him in the presence of his Secretary, Signor Gentile, which might be submitted to the Italian Secretary of State.

Signor Cantagalli stated that he agreed in every particular with me, and shared my belief that if the Sultan was not led to adopt a more enlightened course than he was following at present, it would be exceedingly difficult to support his Government when its present march becomes impeded.

Herr von Waldthausen, whilst remarking that he could not give a decisive opinion on Moorish affairs, owing to his recent arrival in the country, had no hesitation in admitting that, so far as he had been able to gather, matters could not go on in the way they were doing now without soon bringing about a crisis. He, therefore, would report the nature of our conversation to Berlin, in the same manner as I proposed doing to your Lordship.

Señor Diosdado, with whom I have had several conversations, thoroughly agreed with me in considering the actual state of affairs in Morocco as most critical. He felt that the Sultan ought to bestir himself in some way which would remove from the public mind the increasing idea that His Shereefian Majesty is stubbornly opposed to all progress and to everything European.

He had never ceased advising Mulai Hassan to encourage the presence of foreigners at his seaports, and the erection by them of houses and stores. These buildings and interests would be a much better protection for His Majesty's ports from the coercive adventures of certain foreign Governments than the batteries with Armstrong and Krupp guns which are being resorted to at such great expense.

As for the new Commercial Conventions, Spain had hitherto felt safe in leaving them to the conduct of England, France, and Germany, countries which had greater commercial interests than herself in Morocco; nevertheless, Señor Diosdado thought the Sultan was not quite so omnipotent in the question of granting facilities for the exportation of grain as I appeared to imagine. He further sympathized with the Sultan in objecting to an increase of intercourse with Europeans as long as foreign protection of natives was permitted to exist.

On my explaining to Señor Diosdado that I thought protection of natives could be made to cease through the establishment of Mixed Tribunals, I found that he thought the Mixed Tribunals I advocated were in the form of the International Courts created in Egypt. I hope, under these circumstances, your Lordship will not disapprove my having furnished Señor Diosdado with a French translation of the sketch I drew up of the formation of the Mixed Tribunals I had proposed as a substitution of Article IX of the Convention of Madrid (see Inclosure in my despatch No. 55 of the 27th April last).

Señor Diosdado, on the perusal of this sketch, admitted that it presented many points offering an issue out of a great difficulty which had not occurred to him before. He understood, at the same time, that I did not pretend to stand by it in a definite manner, as I had no knowledge whether your Lordship approved of my suggestions.

My Spanish colleague has since called on me to ask me whether he might show my sketch regarding Mixed Tribunals to M. Féraud. He said, as he and the French Minister had drawn up together a proposal for the modification of the Madrid Convention, before expressing to the Spanish Government an opinion on my suggestions, he felt it would be right to know what his French colleague might have to say on the matter.

I naturally consented that M. Féraud should be made acquainted with my paper, though I am surprised that Señor Diosdado and he should appear to be bound by some arrangement on a matter which both their Governments had asserted was altogether a mistake and of no value (*vide* Sir Clare Ford's No. 12, Confidential, of the 1st February, 1888, North Africa print, section No. 403).

Perhaps your Lordship will allow me to repeat here that I was most careful to make Señor Diosdado understand that I was now acting without your Lordship's instructions, and with no other object than to obtain from certain colleagues that they should report in the same sense as myself to their respective Governments, so that our conduct for leading the Moorish Government into adopting an enlightened course might be strengthened through a similarity of action on their parts.

M. Féraud received my remarks in so open a manner, that it appeared needless to me to trouble him with details on what seemed to be foregone conclusions with him. I, however, laid stress on my chief object being to strengthen the position and independence of the Moorish Government, an object which I understood was also shared in by the French Government.

He promised to write to Paris on the matters mentioned by me.

I have learnt since from Señor Diosdado that M. Féraud was surprised that I had not also detailed to him my ideas about Mixed Tribunals. I had not felt it needful to do so, because M. Féraud, on my touching on the subject, exclaimed that the idea of Mixed Tribunals was his from the first. I did not wish, by communicating to him my suggestions, to lead him to imagine that I was particularly attached to a creation of my own. I was only too glad to find that he and I think by Mixed Tribunals foreign protection of natives may be got rid of.

In the event of your Lordship not disapproving of the discussions which I have held with the colleagues whom I have named in this despatch, an understanding with the Governments of Italy, Germany, Spain, and France to send to their Representatives instructions to convey analogous advice to the Sultan on the points touched in this Report would, I trust, help to smooth away difficulties in the intercourse with the outer world of the Shereefian Government, for, otherwise, these difficulties may shortly become insurmountable, and bring about a political catastrophe in these parts.

I have, &c.

(Signed) W. KIRBY GREEN.

No. 20.

Sir W. K. Green to the Marquis of Salisbury.—(Received October 22.)

(No. 118. Secret. Ext. 9.)

My Lord,

Tangier, October 14, 1888.

I HAVE the honour to report to your Lordship that Cid Boobekr-el-Ganjawee, the Moor employed by me in obtaining information for me from native sources which would not be open to me otherwise, has just arrived from the Shereefian Court, which he left at the gates of Fez, shortly before the Sultan entered the town at 1 o'clock on Wednesday morning, the 10th instant.

Cid Boobekr states that Mulaï Hassan was conveyed into Fez at that early hour in order that its inhabitants should not observe how ill His Majesty was, which would have been only too evident had he made a public entry into the town during daylight.

I am assured by my informant that the Sultan is suffering from some incurable malady of the lower bowels, as well as from an acute affection of the liver, both of which diseases are heightened by the remedies taken under the recommendation of the old women of the harem, and by a frequent use of aphrodisiacs.

The grave condition of His Majesty is fully known by the Ministers, who can only with the greatest difficulty obtain his attention to pressing matters of State. Nevertheless, Mulaï Hassan, under fear of giving rise, by the spread of rumours of his serious illness, to public commotion, forces himself, almost daily, to appear momentarily to his guards and courtiers. Cid Boobekr is under the belief that the Sultan's demise will take place before many weeks. I, however, from the details gathered from him, infer that Mulaï Hassan's constitution is only breaking up, and that the end may yet be somewhat distant.

I must confirm my former reports to your Lordship, that no eligible candidate of the Sultan's branch of the Shereefian family is likely to appear on Mulaï Hassan's demise. A conviction is evidently gathering that the tradition that the Drisseen Shereefs are to return to power is to be shortly consummated, and as Fez is the stronghold of these Shereefs, it is probable that struggles for the seizure of power will immediately arise on the Sultan's death. The Vizirs and other Court functionaries seem to have a foreboding of coming evil, and are therefore devoting their whole attention to enriching themselves without seeking to, at the same time, avert approaching danger.

This is the picture drawn to me by Cid Boobekr and others equally acquainted with the political atmosphere prevailing at the Shereefian Court. I believe it may be contemplated as fairly correct, though, as I have already stated above, the complete realization of the foreseen events may not be so near at hand as is imagined by those who have seen the alarms of the Sultan's immediate surroundings.

I have this day had the honour of telegraphing the substance of the foregoing to your Lordship.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 21.

Sir W. K. Green to the Marquis of Salisbury.—(Received October 22.)

(No. 119. Secret. Ext. 10.)

My Lord,

Tangier, October 14, 1888.

WITH reference to my despatch No. 116 of this day's date, I have the honour to inform your Lordship that, notwithstanding that Señor Diosdado called on me this morning and repeated to me that he had as yet not written a single line to the Spanish Government reporting the question which had arisen between the Portuguese and Moorish Governments, and had had absolutely no intercourse whatever either with Cid El-Hadj Mohamed Torres or with Senhor Colaço on the subject, I learn from a person who can have no interest in deceiving me that he saw letters at the Shereefian Court received from the Spanish Legation here encouraging Mulaï Hassan in his determination not to concede the demand for a salute of the Portuguese flag by the Moorish batteries at Tangier.

Though I have had the honour of telegraphing this evening the substance of the foregoing to your Lordship, still it is perhaps necessary that I should also inform your Lordship that Señor Diosdado further repeated to me that the archives of his Legation contained only one document as yet connected with this Portuguese question, and that it was the Report of the Spanish Vice-Consul at Larache on the incident which had given rise to the difficulty. This Report bore simply Señor Diosdado's initials as a mark that he had read it and would not be used unless a despatch which he was to-day addressing to Madrid asking whether the Spanish Government wished to have details on the matter was answered in the affirmative.

Your Lordship will therefore understand the perplexity into which I have been thrown by my Spanish colleague's explanations and through learning from a member of another Legation that he has held in his own hands in the office of the Moorish

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Commissioner for Foreign Affairs the original of the Vice-Consular Report which Señor Diosdado affirms was relegated to the oblivion of his Chancery's pigeon-holes.

Together with these circumstances I must also report to your Lordship the continuance of a conviction in the public mind here that the Spanish Legation is encouraging Moorish resistance, and, moreover, that it is doing so in order to be called upon to act as a mediator, at the request of the Portuguese Government, in bringing about a settlement of its misunderstanding with Morocco; in fact, that the Spanish Government wants to make political capital at home by figuring as a paramount influence in this country.

I have also learnt that at the Shereefian Court the name of the French Representative has been mentioned to it by the Spanish Legation as the proper person to act as an arbitrator on behalf of the Sultan, thus again indicating that some understanding must exist between the Spanish and French Governments on Moorish affairs.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 22.

Sir W. K. Green to the Marquis of Salisbury.—(Received October 22.)

(No. 120. Confidential.)

My Lord,

Tangier, October 14, 1888.

I HAVE the honour to report to your Lordship that a verbal message has been conveyed to me from the Sultan that the state of affairs on the Algerine frontier near Figuig is most critical, and that His Shereefian Majesty expects from day to day to hear that the French troops have taken possession of that oasis.

Mulāi Hassan, I am led to believe, now comprehends the mistake he made in not engaging himself in the manner which I had suggested when the occupation of Genan Barzig by the French was tolerated in the autumn of 1886.

I do not consider that any advantage would now be gained by making any representation concerning the expected French advance. The Moorish Government is little able to control the action of the inhabitants of Figuig and other oases, and the French are forced to advance at each fresh incursion on their frontier posts.

Mulāi Hassan's hold on the people of those regions is solely maintained by not disabusing them of their hope, that he can and may help them in their opposition to the advance of the Christians.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 23.

Sir Clare Ford to the Marquis of Salisbury.—(Received October 22.)

(No. 133. Confidential.)

My Lord,

Madrid, October 16, 1888.

ON the 15th instant, when a reception was held by the King of Portugal at the Palace, the Marquis de la Vega de Armijo, the Spanish Minister of State, who has recently returned from Barcelona, spoke to me a few words, informing me that he felt very uneasy on account of some disquieting news which he had received from Morocco, and his Excellency invited me to an interview with him on the afternoon of yesterday.

I accordingly repaired to the Ministry of State at the time named, and the Marquis de la Vega de Armijo proceeded at once to read to me passages from a couple of letters which he held in his hand, and, although he did not mention who his correspondents were, I concluded that one of them must have been Señor Diosdado, Spanish Minister at Tangier, and the other, the Spanish Agent at Oran. His Excellency laid great stress on the fact, as proving the reliability of the news contained in the letters, that, although they emanated from two different sources, the information given by both was almost identical. The news contained referred to the movements of French troops in the direction of the south-eastern portion of Morocco. His Excellency, pointing to a Map of that Empire, and of Algeria, placed his finger on a spot named Sidi-bel-Abbes to the south of Oran, and said that the

French had opened railway communication from that place to one due south, which is marked on the Map as Thiout-am-Selba, and stated that early this month a force of 1,000 men, composed of infantry, cavalry, and artillery, and principally made up by soldiers of the Foreign Legion (chiefly Spaniards), were rapidly conveyed under the command of General O'Neil to Thiout-am-Selba.

The ultimate destination of this body of men was believed to be Figuig, on Moorish territory, with what ulterior object in view his Excellency did not state. This movement on the part of the French his Excellency considered of grave import, as indicating a projected invasion of the Oasis of Figuig, and he was desirous that I should report to your Lordship what he had told me.

The Marquis de la Vega de Armijo is evidently as much exercised on the subject of Morocco as he was seven years ago, when he last held the seals of the Spanish Ministry of State.

As regarded the policy of Her Majesty's Government on the question of Morocco, I assured his Excellency that it was in no way altered, and that the Spanish Government could always count on the moral support of Her Majesty's Government in any efforts they might make to secure the independence and integrity of the Sultan of Morocco's dominions, and I added that, in consulting me on the subject, I could inform him confidentially that Her Majesty's Government considered it would be advisable for the Spanish Government to confer with that of Italy in matters affecting Morocco.

The Marquis de la Vega de Armijo expressed satisfaction at my words, but as regarded Italy in the present instance, he remarked that as the information he had received, and which he had imparted to me, referred to movements by the French on the interior frontier of Morocco, and not to anything connected with movements on the northern seaboard of the Empire which might more especially interest the Italians, he did not propose to speak at present to the Italian Ambassador here on the subject.

The Marquis then referred to events which had passed when he was last Minister of State, and to conversations which he had held with Sir Robert Morier, at that time Her Majesty's Minister at Madrid, on the subject of Morocco. He also alluded to the pacific assurances which had formerly been given by French statesmen as to French policy in Morocco, and he quoted the opinion which had been expressed in 1882 by M. Barthélemy St. Hilaire, and which had been shared by M. Gambetta, to the effect that it had been positively decided that no invasion of Moorish territory should take place.

I said that, as far as my knowledge went, I had no reason to believe that other Councils prevailed in France on the subject, and that I could hardly suppose the French would be prepared to embark at present on a policy of adventure in Morocco when their hands were so full of troublesome work at home, to which the Marquis replied that, should a change of Ministry take place in France, and M. de Freycinet be charged with the formation of a new Government, he (M. de Freycinet) would be the very man who, in 1882, had declared, in a speech in the Senate, that France might have to adopt an attitude of aggression in Morocco.

His Excellency then repeated to me what he had said to Sir Robert Morier (as reported in that gentleman's despatch to Lord Granville No. 48 of the 27th May, 1882) respecting the object he considered the French had in view, namely, to construct sooner or later a railway from the Oasis of Figuig in a south-westerly direction to the shore of the Atlantic Ocean.

In my conversation with the Marquis de la Vega de Armijo, I formed the impression that his apprehensions were deeply aroused by the French military movement which had been reported to him, and his Excellency expressed to me the hope that it might be possible for Her Majesty's Government to instruct Her Majesty's Ambassador at Paris to sound the French Government on the subject, in order to allay the fear he entertained lest any hostile movements were at present contemplated by the French against the independence of Morocco. He trusted that no objection would be raised to such a course, as on former occasions it had been adopted by Lord Lyons, under instructions from Her Majesty's Government, when events had been reported calculated to arouse suspicions.

I promised his Excellency to report to your Lordship what he had said, and to communicate with him, in due course, further on the subject.

I have, &c.
(Signed) FRANCIS CLARE FORD.

Sir Clare Ford to the Marquis of Salisbury.—(Received October 22.)

(No. 135.)

My Lord,

Madrid, October 16, 1888.

WITH reference to your Lordship's despatch No. 140 of the 28th ultimo, respecting the proceedings of Señor Lozano, the Spanish Consul at Tangier, and instructing me to take an early opportunity of bringing them officiously to the notice of the Spanish Government, and of making an informal, though, at the same time, a strong remonstrance upon the subject, I have the honour to inform your Lordship that at an interview I held yesterday with the Marquis de la Vega de Armijo, the Spanish Minister of State, and at which was presented the first opportunity I had had of speaking with his Excellency since his return from Barcelona, I availed myself of it to speak to his Excellency in accordance with the instructions which I had received from your Lordship.

I prefaced my remarks by saying that I wished to speak to him quite informally on a matter of considerable delicacy, and I begged him to feel assured that in speaking to him as I proposed to do Her Majesty's Government had no intention of interfering in judicial affairs.

It appeared, I said, that the conduct of the Spanish Consul at Tangier had, on several occasions, when connected with the manner in which he carried out his judicial business, given rise to feelings of considerable discontent on the part of British officials at Tangier who were engaged in watching judicial proceedings involving the interests of British subjects.

These feelings, I said, were naturally calculated to affect that confidence and respect which should be entertained towards persons whose official duty included that of administering justice, and the fact of a doubt being cast on the impartiality of an official in the exercise of his judicial functions would engender the idea that the ends of justice would not be carried out with fairness. I could not refrain, I added, from informing his Excellency that as regarded Señor Lozano's proceedings, they had not been such as to inspire confidence, and without attempting to enter into any particular case which it might be difficult to substantiate, I begged him to be so good as to take into consideration what I had said to him, and to take such action in the matter as he might think proper.

The Marquis de la Vega de Armijo replied that Señor Lozano enjoyed the reputation of being one of the best Consuls in the Spanish service; but on my remarking that even the best Consuls might sometimes err from over-zealousness, and from a desire of befriending their own countrymen even at the expense of persons of other nationality, his Excellency said that that might be so, and he promised that he would consider the matter, and take such steps as he might think best to meet the case.

I have, &c.
(Signed) FRANCIS CLARE FORD.

No. 25.

Mr. Beauclerk to the Marquis of Salisbury.—(Received October 22.)

(No. 324. Confidential.)

My Lord,

Berlin, October 19, 1888.

WITH reference to Sir E. Malet's despatch No. 302, Confidential, of the 6th October, I have the honour to report that in my interview this afternoon with Baron von Holstein, his Excellency spoke to me at some length concerning the existing difficulty between France and Italy respecting the Decree concerning education in Tunis.

He informed me that the German Government had done all in their power to bring about an agreement on this question through their Ambassador at Paris.

On Tuesday last, the French Ambassador at this Court called on Baron von Holstein, evidently in consequence of instructions which he had received from his Government, to request that the German Government should counsel "moderation" to Signor Crispi in the matter. Baron von Holstein replied that Italy was manifestly in the right under the Capitulations, and that Germany could scarcely advise their ally to give up an undoubted right at the desire of France. Personally, he would

advise the French Government to let the matter drop for the time being, and to wait for a more favourable moment to bring it again to the surface. The recent difficulty between the two Governments at Massowah and several other incidents—perhaps of no very weighty importance—had roused the susceptibilities of the Italians, and it would surely be unwise to persist in forcing upon them a measure which they were really justified in resisting. Had the French Government relied on the known superiority of their schools in Tunis, which were already absorbing most of the attendance even of Italian scholars, the desired reform might have been gradually carried into effect without any great difficulty.

Baron von Holstein told me that he had communicated his answer to M. Herbet to Prince Bismarck, and that the Chancellor had evidently approved of his remarks, since he had ordered them to be recorded and transmitted to the German Embassies at the principal Courts of Europe.

In reply to the representations of the German Ambassador at Paris, M. Goblet had stated that it was impossible for him to cancel the obnoxious Decree, but that he would be quite ready to grant all reasonable concessions with regard to its application to Italian schools in Tunis.

Information had been received from the German Ambassador in Rome to the effect that Signor Crispi had expressed himself indifferent as to the actual withdrawal of the Law, provided that its application were not insisted upon by the French Government as far as the Italian schools are concerned.

"Thus," continued Baron von Holstein, "it may be hoped that the existing excitement in regard to this matter, will, for the present, subside, and that an eventual solution of the difficulty will not be impossible."

His Excellency concluded by remarking that the Italian Government would probably not have been able to remain a day in power had they omitted to take serious notice of this infringement of their rights by energetic protest and action; and he added that, had not France taken possession of the important port of Biserta, it was quite likely that the triple alliance between Italy, Austria, and Germany might not have been accepted by the former nation.

I have, &c.
(Signed) W. BEAUCLERK.

No. 26.

Consul Ricketts to the Marquis of Salisbury.—(Received October 23.)

(No. 29.)

My Lord,

Tunis, October 15, 1888.

I HAVE the honour to acknowledge the receipt of a despatch, No. 8, from Sir T. V. Lister of the 17th September of this year, requesting me to furnish a Report on the nature and extent of the taxes now levied on foreigners by the Municipalities of Tunis and Susa.

In compliance with these instructions I have, in the first place, the honour to forward herewith inclosed a list of the taxes levied within the Municipality of Tunis. Foreigners, it will be observed, pay taxes in the same ratio as those levied on natives. Hence these taxes do not fall on foreigners only, but bear on such of the population as are engaged in the calling or trade mentioned. Some fall altogether on the Arab, some on the Maltese, some on French, Italian, Arab, and Maltese, to what extent, however, it is impossible to say, there being no proper statistics collected on this subject.

It is difficult to ascertain with any degree of accuracy the population inhabiting this town, but it may be computed more or less as under—

Arabs	..	..	..	..	..	..	..	100,000
Jews	..	..	..	..	..	..	..	35,000
Italians	..	..	..	..	..	..	..	15,000
Maltese	..	..	..	..	..	..	..	8,000
French (including officials)	..	..	..	..	..	..	..	3,000
Greek	..	..	..	..	..	..	..	400
								161,400

This does not include the protected subjects, who pay as foreigners. As regards the foreign element, therefore, the greatest contributors are Italians and Maltese.

In the Arab quarter of the town the houses are the property of natives, but in the new quarter, which has been built in the last few years, they belong chiefly to Italian and Maltese, the French being the smallest holders.

The Maltese alone are proprietors of some 800 houses and stores in this Municipality. In 1879 it was roughly calculated there were in this city 8,600 houses, 7,000 shops and stores, and over 200 coffee-shops. The amount received on account of taxation by the Municipality prior to the opening of the slaughter-house was, I am told, 2,865,700 piastres (71,642l.); this would now be somewhat greater.

The fruit-sellers in the streets have to pay more than any one else; the rates generally do not appear to be high.

The Municipality of Tunis is administered by a Council composed of—

- 1 President (an Arab, but a French official).
- 2 Vice-Presidents, French, each having two votes.
- 3 Members, French.
- 9 Arab Councillors (all French officials).
- 2 Members, Maltese.
- 2 " Italian.
- 1 " Greek.

Thus the French part of the Council has 17 votes, while the others, who are altogether in the majority as regards property and numbers, have but 5. Hence it would appear that this Department has been organized on a wrong basis, and that the community is not properly represented.

From the foregoing it is obvious that French interests are likely to receive a greater share of attention than those of the other foreigners residing here, but will any steps be taken to bring about a reform in this matter?

I have also the honour to inclose a Report on this subject from the Vice-Consul of Susa.

I have, &c.
(Signed) G. T. RICKETTS.

Inclosure 1 in No. 26.

LIST of Municipal Taxes in Tunis.

Name of Tax.	Amount in Piastres.	Remarks.	Falls on—
Karouba	6½ per cent.	The 6½ per cent. is collected on the rent of houses, stores, &c.	Paid by landlords, French, Italian, Maltese, and Arabs.
Zibla	24 piastres per annum	This is collected from each house for payment of the expenses in carrying away the dirt of each house.	
"	12 " "	For carrying away by Municipality dirt thrown out in the street from stores.	
Dogs	8 " "	On all owners per dog, chiefly sporting dogs and guard dogs.	All Maltese.
Carriages	120 " "	Taken on public carriages ..	
Private carriages ..	24 " "	Taken on private carriages.	French, Italian, and Maltese.
European coffee-shops ..	10 " "	Per metre frontage of coffee-shops ..	
Arab coffee-shops ..	5 " "	Ditto	On Arabs only.
Buildings	4 " "	Per metre frontage occupied while building.	
Carts	24 " "	Per araba and such like, two wheels.	All Maltese.
Street hawkers	24 " "	Basket carriers	
Carts	36 " "	With one wheel, such as wheelbarrows, hawking goods.	Arabs.
Donkeys	60 " "	Employed in hawking goods ..	
Carts	120 " "	With one animal hawking goods ..	Maltese.
Fruit-sellers	600 " "	Per metre of stall occupied ..	
Flower-sellers	120 " "	Ditto	Arabs and Maltese.
Fines on hired carriages	16 " a time	i.e., each time an unfortunate man is found with his carriage, horse, or harness in bad order. This is a great abuse.	
Roads	40 " once only	i.e., for half the road made by the Municipality in front of each house, per metre.	Chiefly Maltese.
Drains	40 " when opened	Per metre when opened or mended ..	
Prostitutes	4 " per week	Equal to 208 piastres per annum = 5l. 4s.	On Arabs.
Milk-sellers	150 " per annum	"	

1 piastre = 6d. 1 carroube = 1½ farthing.
Foreigners pay the same as natives.

Inclosure 2 in No. 26.

Municipal Slaughter-house in Tunis.

TARIF des droits à percevoir conformément au Règlement de l'Abattoir de Tunis.*

DROITS D'ABATAGE.

Espèce Bovine de 30 mois et au-dessus (quatre dents de remplacement).

Taureaux	12½ piastres par tête (per killing).
Bœufs et vaches	10 " "
Espèce bovine au-dessous 30 de mois	9 " "
Veaux de lait au-dessous de 3 mois	5 " "
Béliers et boucs	2½ " "
Moutons, brebis, chèvres	1½ " "
Agneaux et chevreaux au-dessous de 15 mois	1 " "
Porcs	10 " "
Sangliers	8 " "
Dromadaires (vulgairement chameaux)	10 " "

Droits sur les Viandes abattues en dehors de l'Abattoir.

Taureaux, bœufs, ou vaches	½ piastre par kilog. ou 2 carroubes.
Veaux	½ " " 3 " "
Béliers, boucs, moutons, brebis et chèvres	½ " " 2 " "
Agneaux et chevreaux	½ " " 3 " "
Porcs et sangliers	½ " " 3 " "
Autres viandes	½ " " 2 " "

1 piastre = 6d.

1 carroube = 1½ farthing.

Droits sur les Issues.

Lavage à l'eau froide d'issues de taureaux, bœufs, vaches, et chameaux	½ piastre par tête ou 4 carroubes.
Échaudage des pieds	½ " " 2 " "
Lavage à l'eau froide d'issues de veaux	½ " " 2 " "
Échaudage de la tête et des pieds	½ " " 4 " "
Lavage à l'eau froide d'issues de brebis, boucs, moutons, &c.	½ " " 1 " "
Échaudage des pieds	½ " " 1 " "

Frais de Séjour pour chaque Nuit. (La première nuit n'est pas taxée.

Taureaux, bœufs, vaches, et chameaux	½ piastre par nuit au-delà de 24 heures 6 carroubes.
Veaux	½ " " 3 " "
Béliers, boucs, moutons, brebis, chèvres	½ " " 2 " "
Agneaux et chevreaux	½ " " 1 " "
Porcs et sangliers	½ " " 4 " "

* This comes heavy, because when an animal is bought the buyer pays a tax of 6½ per cent. on the value, but this is a general tax and not a tax imposed by the Municipality.

Annexé à la délibération du Conseil Municipal en date du 17 Décembre, 1887.
Vu et approuvé :

Le Premier Ministre,
(Signé) MOHAMMED-EL-AZIZ BOU ATTOUR.

Tunis, le 12 Mars, 1888.

Inclosure 3 in No. 26.

LIST of Municipal Taxes in Susa.

Zibla	2½ piastres per month ..	For each door of a house or apartment, according to the importance of each.
"	2 " " ..	
"	1½ " " ..	
"	1 " " ..	
"	½ " " ..	
"	2 " " ..	For each door of a store or shop, according to its importance.
"	1½ " " ..	
"	1 " " ..	
"	½ " " ..	
"	½ " " ..	

Zibla	3 $\frac{1}{8}$ piastres per month	..	For each door of an Arab bath or flour-mill, according to its importance.
"	2 $\frac{1}{8}$ "	..	
"	1 $\frac{1}{8}$ "	..	
"	1 "	..	
"	1 $\frac{1}{8}$ "	..	For each door of a soap manufactory.
"	6 "	..	
"	4 $\frac{1}{8}$ "	..	
"	3 $\frac{1}{8}$ "	..	
"	3 "	..	
"	2 "	..	
"	4 "	..	
"	3 $\frac{1}{8}$ "	..	
"	2 "	..	
"	1 $\frac{1}{8}$ "	..	
"	4 "	..	
"	3 $\frac{1}{8}$ "	..	
"	3 "	..	
"	2 $\frac{1}{8}$ "	..	
"	1 "	..	
"	4 "	..	
"	3 "	..	
"	1 "	..	
"	1 $\frac{1}{8}$ "	..	
"	1 $\frac{1}{8}$ "	..	
"	1 $\frac{1}{8}$ "	..	
"	7 "	..	
"	6 "	..	
"	4 $\frac{1}{8}$ "	..	
Karouba	6 $\frac{1}{2}$ per cent.	..	Collected on the rent of houses, shops, stores, &c.
Carriages	3 piastres per month	..	On 4-wheeled carriages.
"	1 $\frac{1}{2}$ "	..	On 2-wheeled carriages.
Carts	3 "	..	Drawn by animal
"	1 $\frac{1}{8}$ "	..	Drawn by hand.
Dogs	8 piastres a-year	..	For all species.
Building	5 piastres	..	For widening or changing a door.
"	2 "	..	For a window.
"	1 $\frac{1}{8}$ "	..	A metre for building or repairing the front of a house.
Buildings	1 $\frac{1}{8}$ piastre	..	Per metre frontage occupied while building.
Fines	1 $\frac{1}{2}$ to 5 piastres	..	Principally for building or demolishing without permission.
"	1 $\frac{1}{8}$ piastres	..	On each receipt of the Municipality for balance of a fee.
Fish-sellers	1 $\frac{1}{8}$ "	..	Per square metre a-day occupied by the seller.
"	Or, 10 "	..	Per month, at option.
Slaughter-house	5 "	per head	On bullocks.
"	5 "	"	On swine.
"	2 "	"	On camels.
"	1 $\frac{1}{8}$ "	"	On sheep.
"	1 $\frac{1}{8}$ "	"	On goats.
Prostitutes	4 $\frac{1}{4}$ "	..	For each medical visit at the hospital.
"	Or, 8 "	..	If visited at home.

No. 27.

Mr. J. G. C. Minchin to Foreign Office.—(Received October 23.)

2, Metal Exchange Buildings, 95 and 96, Gracechurch Street,
London, October 19, 1888.

Dear Sir,

YOU will remember that I wrote to you in July last about a piece of land near Tangier, and that my cousin, Mr. Simons, placed a confidential statement in your hands.

I have now been approached by private persons with a view to acquiring the piece of land in question.

Their offers have come to us quite unsolicited, but we shall be compelled in our clients' interests to negotiate the matter with them if Her Majesty's Government make no move.

Out of courtesy to yourself I write to inform you of this, though our clients cannot be expected to wait indefinitely, and must accept a suitable offer from whatever source it comes.

I am, &c.

(Signed) J. G. COTTON MINCHIN.

No. 28.

Sir W. K. Green to the Marquis of Salisbury.—(Received October 24.)

(No. 121.)

My Lord,

Tangier, October 16, 1888.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 95 of the 27th ultimo, and, in compliance therewith, to furnish herein the copies of further documents concerning the Damonte case required for submission to the consideration of the Law Officers of the Crown.

I venture also to furnish herewith a supplementary Memorandum drawn up on the case by Mr. de Vismes de Ponthieu, whereby more light is thrown on the matter of the sequestration of the "Fondak" (Magazine) at Mogador, an important particular in the Damonte claim.

I have, &c.

(Signed) W. KIRBY GREEN.

Inclosure 1 in No. 28.

Extract from a Report by Vice-Consul Carstensen on pending British Claims, dated
March 19, 1873.

Claim of Mr. Damonte against the Governor of Shiadma and for the Fondak, consisting of the copy of the Decision of the Kadi,* copy of the Protest,† and copy of a Statement in Arabic regarding his Fondak Claim.‡

WITH regard to the claim against the Governor of Shiadma, the total amount claimed by Mr. Damonte is 21,203 dollars. Out of this amount 7,214 dollars is all proved by documents, and cannot, in my opinion, be disputed.

The remaining 13,989 dollars is open to dispute.

The Fondak claim amounts to 6,000 dollars. The plea that the property belongs to the sect of the "Grega" is correct as far as part of the property is concerned, for the remainder it is an open question. Both Sir John Hay and Cid Mohammed Bargash had ordered that this case should be referred to the Kadi of Mogador, but the Governor of Shiadma would not agree to the suggestion.

* Inclosure 4 in No. 113 of September 13.

† Not inclosed, as it bears on a case which has been settled.

‡ For original of which this is an Arabic translation, see Inclosure 2.

Inclosure 2 in No. 28.

Statement with regard to Mr. J. Damonte's Claim to the Fondak in Mogador.

THE Fondak, situated in the Moorish Beef Market, between the "Zaguia Darcawa" and the cobblers' shops, was handed over to me, together with the original title-deed, by the late Hadj Hamed Ben Brahim in part payment of my claims against his firm in Mogador, in the same manner as he delivered over his other property to Messrs. Perry and Co. and to Messrs. J. and D. Benoliel. The Kadi and Notaries having, as in the case of Messrs. Perry and Co., refused to witness the transfer of the property to me, I availed of the fact of Hadj Hamed being under British protection (as the Taleb of the British Vice-Consul), and caused the transfer to be made before the Vice-Consul, as will appear by the document.

Shortly afterwards I left Mogador for Tangier, in company with Sidi Mesoud Shedmi. While I was absent the Governor of Mogador, Sidi Mehdi Bel Meshauri, received orders from Cid Mohammed Bargash to sequester all the property of Sidi Mesoud Shedmi. Amongst the premises thus sequestered was included the Fondak.

My representative, Mr. Clavaresso, at once waited upon the British Vice-Consul, and remonstrated at this proceeding, which he stated was illegal and most irregular, as I held the document necessary to prove that I was the proprietor of the Fondak.

The Vice-Consul replied that he had strict instructions not to interfere with the proceedings of the authorities in this instance, and that therefore he could not move in the matter further than inform the Governor of what my representative had stated.

On my return to Mogador I applied to the British Vice-Consul, and showed him the proofs by which I held the Fondak, and explained to him that Sidi Mesoud had nothing to do with it. The Vice-Consul represented the matter to the Governor of Mogador, and demanded that the Fondak should be returned to me, but the Governor replied that he had seized it by order of Cid Mohammed Bargash, and that he could not release it without an order from the same quarter.

The Vice-Consul also claimed on my behalf the rent from March 1868 (the time of the seizure), at the rate of 8 dollars per month, which was the amount I had received since January 1867 (the time when the Fondak came into my possession).

Not being able to obtain a satisfactory answer from the Governor, the Vice-Consul reported the matter to Tangier, and was told to submit the matter to the Commissioner, Hadj Dris Ben Dris, together with my claim against the Governor of Shiadma.

The Vice-Consul did so, and the result was that these matters were referred to Tangier by mutual consent of Hadj Dris and the Vice-Consul, on the ground that the Governor of Shiadma would not listen to the counsels of Hadj Dris with regard to the matter of my claim, and because in the matter of the Fondak the Kadi of Mogador was an interested party.

In consequence of this arrangement I was ordered by Sir John Drummond Hay to send an Okeel to Tangier, and the Governor of Shiadma was likewise ordered by the Sultan to send his Okeel. When my Okeel had finished his pleading in the matter of my claim against the Governor, he was prepared to enter into the matter of the Fondak, but he found that there was no Okeel either from the Governor of Shiadma or any one else to meet him, and my Okeel then proposed to Sir John Drummond Hay that the matter of the Fondak should be settled here in Mogador, by the Kadi of Haha, a disinterested party. My Okeel was told by Sir John Drummond Hay to advise me to make a representation through the Vice-Consul proposing that the matter should be submitted here to the decision of the Kadi of Haha, and that his Excellency would submit my proposal to the Sultan.

In conclusion, I beg to state that the first owner of the Fondak was the late Kadi of Shiadma, Sid Bujema Ben Abdelkader, who sold it to Hadj Hamed Ben Brahim, of which sale I possess the original document, and, besides, the original document proving the purchase of the ground by Kaïd Bujema.

(Signed) JUAN DAMONTE.

Mogador, June 6, 1871.

* Sanctuary of the sect called "Darcawa."

Inclosure 3 in No. 28.

Consul Payton to Consul White.

Sir,

Mogador, September 16, 1886.

I HAVE been earnestly requested by the widow and orphans of the late Mr. John Damonte, British subject, of Mogador, to bring under the special notice of Her Majesty's Legation Mr. Damonte's long-pending and important claim against the Governor of Shiadma.

This claim was originally for the amount of 23,418 dollars, but has been by certain payments on account reduced to 21,203 dollars, in addition to a "Fondak" in this town, of which the claimants ask to recover possession, and rent from the time of its seizure.

It appears that when Mr. Damonte, like other Europeans, left Mogador at the breaking out of the Spanish war in 1859, he left in charge of the then Governor of Shiadma, Kaïd Bou Jemar, with whom he was on friendly terms, a large portion of his property, leaving also cattle in charge of sundry Sheikhs of the tribe.

It is stated that on the removal of Kaïd Bou Jemar from the Governorship his successor, Kaïd Omar-el-Henshowee, took possession of all his and Mr. Damonte's property; that Mr. Damonte hearing of this while in Gibraltar complained to Her Majesty's Legation at Tangier; that Sir J. Drummond Hay made a communication to Mulaï-el-Abbas, the Sultan's brother, who ordered the Kaïd of Shiadma to restore the property of the British subject, and Kaïd Omar did give back some oil and a few other things.

In 1870-71 Mr. Damonte employed Jacob Levy, commonly known as Achan-ben-Miriam, as his attorney to prosecute his claim before the Kadi of Tangier, the Governor of Shiadma also making an attorney for his defence.

After protracted proceedings a decision appears to have been given by that functionary that the Kaïd was to swear in the principal mosque of Mogador or pay, and that if Mr. Damonte's "Okeel" named others of the "Rabecla" as holding property of his they must also swear or pay.

This decision appears to have been evaded or never enforced. Several offers of compromises are stated to have been made.

The papers in the case, which have been successively in the hands, I believe, of Captain Rolleston and Mr. L. A. Cohen, have been lately returned to Mogador.

I have communicated with Kaïd Ragregy, who states that he is unable to do anything in the matter, it being one in which nothing can be done except by order from the Court or from Tangier.

The claimants having appealed to me and stated their earnest desire that this claim should be one of the first to be brought under the notice of Her Majesty's Minister on his arrival, I forward herewith a list of the documents and correspondence in the case, which can be sent to Tangier if desired.

The widow and orphans of the late Mr. Damonte being left in comparatively straitened circumstances, I would respectfully urge that this claim should receive such support as can be given to it by Her Majesty's Minister.

Although there have been two Governors of Shiadma since the Kaïd Omar-el-Henshowee, against whom the unexecuted decision of the Kadi was given in 1871, yet, if it can be proved that each successive Kaïd has taken possession of the property of his predecessor the claim might be brought against the present Kaïd (Cid Saïd Bel Ayeshy), whereas, if on the removal of the former Governors the Sultan had taken possession of their effects the claim would seem to be one against the Moorish Government.

I have, &c.

(Signed) CHAS. A. PAYTON.

Inclosure 4 in No. 28.

Memorandum.

WITH reference to that portion of my Memorandum on the Damonte case, forwarded in Sir William Kirby Green's despatch No. 113 of the 13th September, 1888, in which I stated as the probable ground of the sequestration of Mr. Damonte's Fondak along with the property of Sidi Mesoud-el-Shiadmi that the latter was its tenant, I have since ascertained from a Moor acquainted with his family that Sidi Mesoud was the brother of the former Kaïd of Shiadma, Bujemaa, the builder of the Fondak, at that time

deceased, and therefore one of his heirs. The sequestration of Mesoud's property was therefore a continuation of the acts of spoliation begun by Kaïd Bujemaa's successor through the seizure of the property intrusted to the former by Mr. Damonte in 1859. Mr. Damonte's *locus standi* is that the Fondak had been transferred by Kaïd Bujemaa to his brother-in-law, Hadj H'med-ben-Brahim, for valuable consideration, and therefore did not form part of the deceased's estate. It will be recollected how Kaïd-el-Henshowee was only willing to submit the case to the Kadi of Mogador as long as this official was one of his own creation, and refused to do so as soon as the post of Kadi was occupied by an impartial person.

(Signed) G. DE VISMES DE PONTTHIEU.

Tangier, October 16, 1888.

No. 29.

Sir W. K. Green to the Marquis of Salisbury.—(Received October 24.)

(No. 122.)

My Lord,

Tangier, October 16, 1888.

NOTWITHSTANDING that I had referred to your Lordship, by my despatch No. 99 of the 10th August last, the persistent inattention of the Moorish Government to my representations concerning the persecution, on the ground that he had sought British protection, of a certain Hadj Boazza by the Governor of the district of Aunee, still I did not relax my efforts, by the conveyance of advice to the Sultan through sources other than His Majesty's Ministers, to remove, under direct investigation into the matter, the discredit which had been cast on the Shereefian Government by the said Governor.

By the inclosed translation of a note now received by me from Cid Emfadi Gharnit, and the copy of a report from Vice-Consul Redman, your Lordship will learn that my counsels have been at last so far listened to as to have resulted in the removal of Hadj Boazza and his son from prison for conveyance to the Shereefian Court.

I must, however, warn your Lordship that this step in the right direction must not be accepted as a complete termination of the persecution of Hadj Boazza, for, unless his fate is closely watched by me, the Provincial Governor may still, by influences peculiar to this country, be enabled to carry out his worst intentions against the unfortunate man and his family.

Inclosure 1 in No. 29.

Cid Emfadi Gharnit to Sir W. K. Green.

(Translation.)

(After compliments.)

SHEREEFIAN orders had been sent to the Governors and Oomana of the ports of Saffi, Mazagan, Dar-al-Baida, and Mogador to settle the claims of the subjects and protégés of your nation at those ports against the neighbouring tribes, on the lines advocated by your predecessor, and to obtain lists of such claims from the Vice-Consuls and forward them to the Governors of the defendants; and orders have been sent to these Governors to send those of their brethren named in these lists, against whom claims are brought, at once to the respective ports. I had written to you to inform you of this, but perhaps the letter has not reached you. This order has now been renewed to the Governors, and Kaïd M'Saddak-el-Aunee has also been ordered to send Hadj Boazza to the Shereefian Court in order that his statement may be heard and his case examined into in the way justice requires.

Peace.

Dated the last day of Muharrem, 1306 (6th October, 1888).

(Signed) MOHAMMED-EL-MUFADDAL-BEN-MOHAMMED GHARNIT.

Inclosure 2 in No. 29.

Vice-Consul Redman to Sir W. K. Green.

Sir,

Mazagan, October 9, 1888.

IN reference to my last Report to you about the Moor Hadj Boazza-el-Lowenet, I have now to inform you that five horse soldiers, with a special Envoy from the Sultan, arrived at the Kaïd of Lowenet's house a few days back and immediately proceeded on their arrival to the prison where Hadj Boazza and his son were confined, and, it is reported, remained there on guard whilst the Sultan's Envoy went to the Kaïd's house and read personally the Sultan's letter to the Kaïd for the delivery up to him of the prisoner and his son, and which, of course, was at once complied with, and Hadj Boazza with his son have been conveyed by them to the Sultan at Mequinez.

I am also informed that the soldiers from the Sultan brought with them clothes for the prisoners, as they were in almost a state of nudity.

I have, &c.

(Signed) ALFRED REDMAN.

No. 30.

Sir W. K. Green to the Marquis of Salisbury.—(Received October 24.)

(No. 123.)

My Lord,

Tangier, October 17, 1888.

WITH reference to my despatch No. 120, Confidential, of the 14th instant, I have the honour to transmit herewith, for your Lordship's information, a cutting from this day's "Le Réveil du Maroc," entitled the "Sud Oranais."

Your Lordship will observe that the information coming from a French source is calculated to strengthen considerably the Sultan's fears of a speedy French invasion of the Oasis of Figuig.

I have, &c.

(Signed) W. KIRBY GREEN.

Inclosure in No. 30.

Extract from "Le Réveil du Maroc" of October 17, 1888.

SUD ORANAIS.—On ignore généralement que le Caïd Aoumar Soussi n'avait été nommé à Figuig que sur la promesse formelle de tuer le Chérif Derkaoua de Medagha.

En attendant cet exploit, ce Caïd ne cesse ses agissements hostiles à l'Algérie. Voici un extrait d'une lettre publiée dans "l'Écho d'Oran" :—

"Aussi l'Administration Militaire a-t-elle pris des précautions pour empêcher le retour de semblables faits.

"Elle a pris un Arrêté enjoignant aux habitants du village de ne pas s'éloigner; elle fait accompagner chaque train qui va à Mécheria ou qui en revient, par un détachement de dix hommes; chaque maisonnette et gare d'Aïn-Sefra à Mécheria sont gardées par un égal détachement de dix hommes, dont la moitié reste à l'habitation pendant que l'autre, l'arme au bras, surveille les travailleurs de la voie.

"La redoute elle-même a été fortifiée; à chaque angle du mur d'enceinte est placé un canon.

"Le corps de garde est doublé et des sentinelles sont placées en vedette à quelque distance du bordj.

"Ces mesures sont motivées, et nul ne peut mettre en doute leur raison d'être.

"Notre sécurité est en jeu.

"En vous disant dans ma précédente correspondance que des incidents pouvaient surgir, je n'exprimais pas mon sentiment personnel, mais bien celui de certains officiers haut gradés. Et quand ces messieurs se hasardent à parler dans ce sens, on peut et on doit s'attendre à tout.

"Sans doute, cet état de choses ne peut durer, et tout le monde est d'avis que nous ne serons pas à l'abri d'un coup de main, tant que nous n'aurons pas Figuig. Nous ne

serons jamais tranquilles, tant qu'on n'aura pas détruit ce nid, ce repaire où l'on ne peut s'engager qu'au prix de sa tête.

"Le Gouvernement Français a le droit de demander, et sans retard, à Malul Hassan, s'il entend mettre de l'ordre dans ce côté de son Empire.

"On chuchotte tout bas et je tiens ceci sous toutes réserves, que Paris est en pourparlers en ce moment avec Fez.

"Le Gouvernement demanderait au Sultan qu'il exige du Caïd de Figuig de nous rendre la portion des Amours qu'il a attirée chez lui.

"S'il se refusait à ce désir, ce qui est fort probable, nous irons nous-mêmes les chercher, et par la même occasion on ferait flotter notre drapeau dans la belle oasis du Figuig.

"Ce qui rend cet on-dit vraisemblable, c'est que les grandes manœuvres vont avoir lieu le 10 du mois prochain de ce côté. Je crois tenir de bonne source que les troupes réunies en colonne à Sfisiffa doivent attendre là un ordre secret qui leur indiquera ce qu'il y aura à faire.

"Si c'est la marche sur Figuig, je fais des vœux pour le succès de nos armes, résolvant ainsi ce problème qui est à l'étude depuis de nombreuses années.

(Signé) "MECKTER."

Le 5^e escadron du 2^e Spahis part pour Geryville.

Le 4^e escadron, qui devait rentrer à Bel Abbès, reste dans le sud jusqu'à nouvel ordre.

No. 31.

The Earl of Lytton to the Marquis of Salisbury.—(Received October 26.)

(No. 534. Confidential.)

My Lord,

Paris, October 25, 1888.

I AM informed by my German colleague that, at the outset of the misunderstanding which has arisen between France and Italy on the subject of the recent Beylical Decree relative to the inspection of European schools at Tunis, he was instructed to urge upon the French Minister for Foreign Affairs the expediency of making every possible concession to Italian susceptibilities in this matter. He was at the same time informed by his Government that, in its opinion, the Decree is *ultra vires*; and that, if appealed to, it must consequently support the protest which this step has provoked from the Government of Italy; whilst, at the same time, the German Government is extremely anxious to avert serious complications between France and Italy on such a subject, and at such a moment as the present.

In the meanwhile, however, the Italian Chargé d'Affaires in Paris had received a peremptory instruction to demand the revocation of the Decree within a specified period of time.

Count Münster considered that this instruction (which was confidentially communicated to him by M. Ressman) amounted to an ultimatum. He therefore induced the Italian Chargé d'Affaires to act upon it only in a very mitigated form; and he pointed out to the German Government that the Italian demand, if persisted in, would result in a breach of relations between France and Italy. In consequence of his representations to that effect, communications passed between Count Herbert Bismarck and Signor Crispi, who gave the Count to understand that the least with which Italy could be satisfied would be a declaration by the French Government that the Beylical Decree is not applicable to Italian schools at Tunis. Upon this my German colleague obtained from M. Goblet an assurance that the French Government is willing to make such a declaration, and he was therefore hopeful that its dispute with the Government of Italy might be amicably settled on that basis.

This is the position in which matters stood yesterday when I attended M. Goblet's weekly reception of the Diplomatic body.

At the Ministry for Foreign Affairs I met Count Münster, who had just left M. Goblet, and General Menabrea, who was waiting to see him, having returned to Paris on the previous day. To our surprise the Italian Ambassador then informed my German colleague and myself that his Government cannot accept the proposed declaration as an adequate satisfaction of its demands. On the contrary, he said, it regards that declaration as the evasion of a principle which it is bound to maintain, and the indirect assertion of another which it is resolved to resist by every means in

its power. He was therefore about to inform M. Goblet that the declaration must be so framed as to cover the case, not only of all Italian schools actually existing at Tunis, but also of those which may at any future time be established there. In a word, so far as Italy is concerned, the principle implied by the Beylical Decree must be formally renounced, not only in practice, but in theory.

I subsequently asked M. Goblet what had been the result of his interview with General Menabrea. His Excellency replied that the personal character of it had been amicable on both sides, but that it had not led to any practical result. He had informed General Menabrea that it is impossible for France to make a formal declaration with regard to circumstances which have no actual existence, and he had not obtained from the General the least encouragement to hope that it may be in his power to satisfy the Italian Government, either by the declaration he is ready to make in reference to all Italian schools at present existing on Tunisian territory, or by the offer he has coupled with it, to place upon the Tunisian "Conseil d'Éducation" any number of Italian schoolmasters nominated by the Government of Italy.

M. Goblet further informed me that he had been reproached by the Italian Ambassador with not having given to the Italian Government any preliminary intimation of the intentions of his Government in a matter so seriously affecting Italian interests and privileges.

To this reproach he had replied that he is, and has ever been, anxious to consult the Italian Government confidentially, in a frank and friendly spirit, upon all matters in which the conduct of either of the two Governments may affect the interest of their respective subjects. But that he had received no encouragement to do so. In confirmation of this assertion he instanced several illustrative cases. The Italian Government, he said, had curtly refused to entertain the friendly representations he had addressed to it in reference to French rights and interests affected by its action at Massowah.

Again, in conformity with arrangements recently concluded at Berne, Beylical post-offices had been established at Tunis, and the previously existing French offices were consequently suppressed. The Italian Government having refused to withdraw its own post-offices, or otherwise acknowledge this arrangement, which was one of general utility, without compensation to certain Italian Mail Companies, its Representative at Tunis had been requested to formulate its demands, with the assurance that they would be promptly and liberally considered by the Government of France; but he was prohibited from doing so by peremptory instructions from his Government.

M. Goblet, however, trusted that the influence of time would enable Signor Crispi to recognize and do justice to the conciliatory disposition of the French Government in this matter.

In the course of the same evening I had occasion to meet my Italian colleague again. He also referred to his interview with M. Goblet, and told me that his last words to the French Minister for Foreign Affairs were: "Do what you please about your Beylical Decree. We shall continue to treat it as *non avenu*, and as for the influence of time, France must judge for herself as to the expediency of prolonging the theoretical assertion of an irritating and illegitimate pretension of which the practical application will be strenuously resisted by Italy if ever it is attempted in reference to Italian subjects or interests."

Count Münster expresses great regret at this language, which he characterizes as unreasonable and aggressive. But, however menacing may be the tone of the Italian Government, I am unable to see how active effect can be given to it so long as no pretext or occasion for action is furnished by any attempt to enforce the obnoxious Decree in the case of Italian schools actually existing at Tunis, and I have no doubt that this will be the view taken of it by the French Government.

I have, &c.
(Signed) LYTTON.

No. 32.

The Earl of Lytton to the Marquis of Salisbury.—(Received October 26.)

(No. 535. Confidential.)

My Lord,

Paris, October 25, 1888.

WITH reference to my accompanying Confidential despatch No. 534 of this day's date, relative to the present misunderstanding between France and Italy about Tunisian

affairs, I think it worth while to mention that I was yesterday told by General Menabrea that M. Goblet asserts your Lordship to have given M. Jusserand an assurance that Her Majesty's Government recognizes the legitimacy of the Beylical Decree referred to in my above-mentioned despatch, and has no objection to the application of it in the case of the Maltese schools at Tunis.

In reply to his inquiry whether this assertion is correct, I informed my Italian colleague that I am not aware of any such assurance having been given to M. Jusserand. I had reasons, I added, to believe that in the opinion of your Lordship the Decree is unnecessary and inopportune, although there was no doubt in my own mind that Her Majesty's Government would not be disposed to regard it as a matter which could justify acts or threats of a warlike character on the part of the Italian Government.

I have, &c.
(Signed) LYTTON.

No. 33.

The Marquis of Salisbury to Sir Clare Ford.

(No. 147.)
Sir,

I HAVE to convey to your Excellency my approval of the observations which you addressed to the Spanish Minister of Foreign Affairs on the subject of the proceedings of the Spanish Consul at Tangier, as reported in your despatch No. 135 of the 16th instant.

I am, &c.
(Signed) SALISBURY.

No. 34.

Foreign Office to the Law Officers of the Crown.

Gentlemen,

I HAVE the honour to transmit to you, by direction of the Marquis of Salisbury, the papers noted in the accompanying list,* with reference to a Decree of the Bey of Tunis, promulgated on the 15th September last,† and purporting to place all public and private schools within the Regency under the inspection of French officials, and to make the use of the French language compulsory in such schools.

The Italian Government hold (see the late Count Robilant's note of the 24th September last) that this Decree is not applicable to Italian subjects resident in the Regency, and the grounds upon which they base their contention will be found concisely stated in that note.

Lord Salisbury is disposed to think that the Italian contention is correct, and that Her Majesty's Government is entitled to claim for British subjects resident in the Regency of Tunis a like immunity from the operation of this Decree.

A Memorandum has been prepared showing the grounds on which, as is conceived, this Decree is, in so far as it purports to affect British subjects, beyond the Powers of the Bey, and incapable of enforcement by the French Tribunals. (See my Confidential Memorandum of the 6th October, 1888.)

The French text of the Decree itself will be found, extracted from the "Journal Officiel Tunisien" of the 20th September last, at p. 4 of the Confidential Print herewith.

I am also, with reference to the binding effect upon France, under the Franco-Tunisian Treaty of the 12th May, 1881, of the existing Treaty obligations of the Bey, to refer to a Report which was furnished on the 28th April, 1886, to the then Secretary of State by your predecessors in office.

* Confidential Print, North Africa (Section No. 456); Sir J. Pauncefote's Memorandum of October 6, 1888; Law Officers, April 28, 1886; Protocol (Italy and Tunis), January 25, 1884; Treaty (Italy and Tunis), September 8, 1868; Order in Council, December 31, 1883; "Tunis No. 6 (1881)," Parliamentary Paper, containing Franco-Tunisian Treaty; Correspondence respecting the Establishment of French Tribunals, &c. (Foreign Office Confidential Print, August 1883).

† Count Robilant's note says the Law was dated September 21, but it seems to be September 15. It is the extract from the "Riforma" which is dated September 21.—W. E. D.

I am to request that you will take the papers transmitted herewith into your consideration, and that you will favour Lord Salisbury with your opinion as to whether Her Majesty's Government are entitled to contend that the Beylical Decree in question is inapplicable to British subjects, and, should you be of this opinion, his Lordship would further be glad to be informed whether the views put forward in my Memorandum of the 6th October have your general concurrence as a statement of the grounds upon which the contention of Her Majesty's Government may properly be based.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 35.

Colonel Swaine to Mr. Beauclerk.—(Received at the Foreign Office, October 29.)

(Confidential.)
(Extract.)

Berlin, October 24, 1888.

JUST as I was taking my leave, Count Waldersee asked me if I had heard anything from England as to French intentions at Biserta (Tunis). I replied that I had learnt nothing of a particular nature. Upon which he answered, "Then I can tell you with certainty that the French are seriously contemplating converting Biserta into a naval fortified port ('Kriegshafen')." He unfolded a Map and, pointing to its position, explained that the Lake of Biserta, which had a maximum depth of 11 metres, could easily be made into a magnificent harbour, perfectly safe from the enemy's shells, and that the entrance to it required very little dredging to make it navigable for the largest ships the world possessed. Italy, he said, was alarmed and irritated, and he did not think that we could look on with indifference at seeing a naval station—a second Cherbourg—being established by so formidable a rival on our direct road between Gibraltar and the Suez Canal.

No. 36.

Mr. Petre to the Marquis of Salisbury.—(Received October 29.)

(No. 58.)
My Lord,

Lisbon, October 25, 1888.

THE Portuguese Government received yesterday a telegram from the Portuguese Representative at Tangiers, stating that the conflict with Morocco was at an end, and that the Sultan had consented to salute the Portuguese flag, as required.

M. de Barros Gomes told me that he was exceedingly glad that this dispute with the Sultan's Government had been honourably settled. The Portuguese Government, he said, had been most reluctant partners to it, but they could not have acted otherwise than they had done.

He told me that he had modified the demands put forward in the first instance by the Portuguese Minister at Tangiers, and had declined to ask for an indemnity, because, in fact, no material injury had been inflicted on Portuguese subjects.

I have, &c.
(Signed) GEORGE G. PETRE.

No. 37.

Mr. Beauclerk to the Marquis of Salisbury.—(Received October 29.)

(No. 336.)
My Lord,

Berlin, October 27, 1888.

WITH reference to my despatch No. 324, Confidential, of the 19th instant, I have the honour to report that Baron von Holstein told me yesterday that he was glad to say that the dispute between France and Italy concerning the Education question in Tunis seemed in a fair way towards settlement.

M. Goblet had consented to the non-application of the obnoxious decree to the existing Italian schools, and Italy had asked that all schools opened by Italians in the future should be equally exempted from the Law.

Thus the question was, at any rate, put aside for the present, and the two Governments appeared to be almost of one mind in the matter.

Baron von Holstein concluded his observations by the remark, that the question would probably be of interest to Her Majesty's Government as far as it might affect Maltese schools in Tunis.

I have, &c.
(Signed) W. BEAUCLERK.

No. 38.

Mr. Beauclerk to the Marquis of Salisbury.—(Received October 29.)

(No. 337. Confidential.)

My Lord,

Berlin, October 27, 1888.

WITH reference to Colonel Swaine's letter of the 24th instant, I have the honour to report that in conversation with Baron von Holstein yesterday, I took an opportunity of asking him whether he had heard anything as to French preparations for making a naval arsenal at Biserta.

Baron von Holstein replied that he had no recent or definitive information on this subject, but that naval officers had reported to the Imperial Government on the great adaptability of the port for the purpose named.

I have, &c.
(Signed) W. BEAUCLERK.

No. 39.

Foreign Office to Mr. J. G. C. Minchin.

Sir,

Foreign Office, October 29, 1888.

IN reply to your letter of the 19th instant, I am directed by the Marquis of Salisbury to inform you that Her Majesty's Government cannot entertain the offer to purchase the piece of land you refer to near Tangier.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 40.

The Marquis of Salisbury to the Earl of Lytton.

(No. 502.)

My Lord,

Foreign Office, October 30, 1888.

I HAVE to convey to your Excellency my approval of the language which you held to the French Minister for Foreign Affairs on the subject of the recent Beylical Decree affecting schools in Tunis, as reported in your despatch No. 535 of the 25th instant.

With reference to M. Goblet's assertion as reported by the Italian Ambassador, I have to observe to your Excellency that Her Majesty's Government have not expressed any opinion as to the legitimacy of the Decree, and reserve all the rights of this country with respect to its application to British subjects.

I am, &c.
(Signed) SALISBURY.

No. 41.

Sir W. K. Green to the Marquis of Salisbury.—(Received November 1.)

(No. 124.)

My Lord,

Tangier, October 23, 1888.

I HAVE the honour to transmit herewith, for your Lordship's information, a translation of a letter addressed to me on the 4th instant by my Spanish colleague, Señor Diosdado, on the subject of a complaint made by the Spanish Consul as to his inability to obtain redress from the British Consulate for an alleged libel published against him by a Tangier newspaper conducted by a British subject, and also on the question of the illegal existence of a foreign press in Morocco.

By my letter of the 7th instant (Inclosure No. 2) to Señor Diosdado, I called for delay in answering his representations, in order to obtain from Mr. White the explanations contained in his Report and Memorandum to me of the 11th instant, of which copies are also furnished herein.

My final reply to Señor Diosdado of the 17th (Inclosure No. 5) was based not only on Mr. White's Reports, but also on your Lordship's despatch to me No. 11 of the 10th February, 1887.

I felt that Her Majesty's Consul had offered every redress to Señor Lozano which in his judicial capacity it was within his power to afford, and that I could not accept the interpretation by a foreign authority of the laws under which British subjects are governed in this country, more especially as the Moorish Government had apparently wisely decided, after the receipt of the note alluded to in my despatch to your Lordship No. 3 of the 17th January, 1887, not to insist upon its demand for the suppression of the Tangier newspapers.

Though there can be no doubt that the conduct of the local press, which somehow happens to be entirely in British hands, is open to considerable improvement, still I cannot but admit that it frequently fills a very useful part, and that I should regret its complete suppression, notwithstanding that then the Spanish and other Consulates would be free from the annoyance of inconvenient comments on their proceedings.

I have, &c.
(Signed) W. KIRBY GREEN.

Inclosure 1 in No. 41.

Señor Diosdado to Sir W. K. Green.

(Translation.)

Sir,

Tangier, October 4, 1888.

THE Spanish Consul at Tangier has brought to my knowledge the communications which have passed between the Spanish and British Consulates regarding offensive language used towards the former in the newspaper "La Africana," edited by a British subject.

I regard it as my duty to call your attention to the question of principle, for by this means we may avoid in future complaints of this nature, which would disturb the good relations between foreign authorities.

In virtue of a right, and also in order that the respect and consideration which Treaties require to be observed towards foreign authorities may not be wanting in Morocco, the Sultan prohibited the press, as is apparent from a note of Cid Mohamed Torres, dated 18 Shuwal, 1303.

From this it results that the press in Morocco is a prohibited weapon, and that newspaper editors are outside legality and at the mercy of the insulted person, especially whenever it is the case of a foreign authority, which must make itself respected and cannot submit itself to a foreign Tribunal.

Therefore the pretension of the British Consulate that the complaint of the Spanish Consul must be brought before the British Tribunal cannot be admitted by this Legation, nor is it to be supposed that Her Britannic Majesty's Legation will support it, because this is contrary to the law of nations, and would imply that a foreign nation can impose its own laws in Morocco.

I flatter myself with the hope that the Spanish Consul will obtain, through your Legation, the satisfaction which he has been unable as yet to obtain through the British Consulate, and that I shall not be compelled to refer the Consul's complaint to my Government.

I profit, &c.
(Signed) JOSÉ DIOSDADO Y CASTILLO.

Inclosure 2 in No. 41.

Sir W. K. Green to Señor Diosdado.

Sir,

Tangier, October 7, 1888.

I HAVE the honour to acknowledge the receipt yesterday of your communication of the 4th instant, and hasten to reply that as soon as Mr. White has placed me in

possession of all the facts connected with Señor Lozano's complaint against the Tangier newspaper "La Africana" I will inform you how far I am in a position to meet your wishes and views.

I have, &c.
(Signed) W. KIRBY GREEN.

Inclosure 3 in No. 41.

Consul White to Sir W. K. Green.

Sir, Tangier, October 11, 1888.
IN obedience to your instructions I have the honour to transmit to you herewith a short Memorandum on the complaint that M. Lozano has made against the Director of "La Africana," on account of an alleged libel on himself contained in that paper.

The difference between the Spanish Consul and myself being on the abstract question of the procedure to be adopted in complaints by foreign authorities against non-official foreigners resident in Morocco, I have not thought it necessary to trouble you with the details of this particular case, nor with copies and translations of the letters that have passed between us.

You will observe that M. Lozano has raised the side issue as to the rights of foreigners to publish newspapers in Morocco, but I have declined to follow him on this ground, as I consider the matter one for discussion between Her Majesty's Legation and the Moorish authorities, should the latter think fit to raise the point, rather than between the Spanish Consul and myself.

I have, &c.
(Signed) HERBERT E. WHITE.

Inclosure 4 in No. 41.

Memorandum respecting the Complaint of the Spanish Consul, M. Lozano, against Mr. Hanglin, Director of "La Africana" Newspaper.

AN article having been published in "La Africana," in which it was stated that a Spanish woman named Paula Torres had informed the writer that the Spanish Consul had denied her justice by exercising pressure on her to cause her to abandon a claim she had upon another Spanish subject, proceedings were instituted in the Spanish Consular Court against Paula Torres, and, at the request of the Spanish Consul conveyed through me, Mr. Hanglin gave evidence in the case.

I subsequently received a letter from the Spanish Consul inclosing copies of the depositions of Mr. Hanglin and other witnesses, and stating that in the course of the trial it had been shown that Paula Torres had not held the language attributed to her, and that therefore Mr. Hanglin had been guilty of publishing a libel on him and on his Consulate, for which he demanded his punishment.

M. Lozano in this letter also made some reflections on the fact of newspapers being published here by British subjects, with the permission, he supposes, of the British authorities, in default of that of the Moorish authorities, who had prohibited their publication in this country; and he concludes that it is the absence of press laws that encourages these newspapers to allow themselves so much licence in their criticism on foreigners residing here.

In my reply to M. Lozano I expressed my regret that a British subject should have published any article offensive to himself or the Spanish Consulate, and I informed him that as the British Consular Court had both criminal and civil jurisdiction in cases of libel, proceedings could be instituted against Mr. Hanglin. I added that no permission of the British authorities had been sought for or obtained by those who had established papers at Tangier, such permission not being necessary, nor was I aware that the foreign Representatives had ever admitted that of the Moorish authorities was necessary either.

Several letters have since passed between M. Lozano and myself on this subject, and on my invitation he has paid me a long visit, during which I endeavoured to explain to him the necessary procedure and forms in prosecutions for libel; but I have unfortunately found it quite impossible to make him understand that I am unable to punish Mr. Hanglin merely on the evidence of his (M. Lozano's) letter and the depositions taken in his Court, that the charge must be preferred in due form—for

in his letter the libel is not even set out *verbatim*, but merely summarized—and that proceedings must be taken in due form, some person appearing in Court to prosecute.

M. Lozano maintains that it would not be consonant with the dignity of the Spanish Consulate or of himself to appear in person or by attorney in the British Consular Court, which he considers would be tantamount to submitting to its jurisdiction; he demands, therefore, that I should content myself with the denunciation contained in his letter, that I should myself summon and examine Mr. Hanglin, and inflict the punishment I might deem adequate, without requiring the Spanish Consul to take any part in the proceedings.

I have informed M. Lozano that, however much I might wish to meet the wishes of a colleague, I could not take upon myself the responsibility of inflicting upon a British subject any punishment to which he had not been condemned in due form by the British Consular Court after full and proper trial.

(Signed) HERBERT E. WHITE.

Tangier, October 11, 1888.

Inclosure 5 in No. 41.

Sir W. K. Green to Señor Diosdado.

Sir, Tangier, October 17, 1888.
AFTER careful examination of your representation of the 4th instant, concerning the newspapers established at Tangier by British subjects, and the Spanish Consul's complaint against the only procedure which is open to him in Her Majesty's Consular Court here against "La Africana" for an alleged libel on him and the Spanish Consulate, I have the honour to inform you that I do not find that I am able to alter the interpretation given by Mr. White to the Regulations and Laws which govern the Consular Court over which he presides.

I will, however, not fail to submit to the consideration of Her Majesty's Secretary of State for Foreign Affairs your observations on the matter, though I can from now state to you that the question of the establishment in Morocco of newspapers by British subjects was not considered closed by the Shereefian Government's communication of the 29th December, 1886.

I think it right also to record here that the newspapers in question, except as explained to M. Lozano by Mr. White, are entirely free from British official control and supervision, a fact amply made apparent by the manner in which Her Majesty's Legation and Consulate are frequently the butts of their criticisms—criticisms which have invariably been treated with the silence which they deserved.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 42.

Sir W. K. Green to the Marquis of Salisbury.—(Received November 1.)

(No. 126.)

My Lord,

Tangier, October 25, 1888.

WITH reference to my despatch No. 116 of the 12th instant, I have the honour to report to your Lordship that yesterday afternoon the Moorish Commissioner for Foreign Affairs called on Senhor Colago, and announced to him that the Sultan had decided upon causing the Portuguese flag to be saluted at Larache as a reparation for the recent attack on the Portuguese fishermen at that place.

The misunderstanding between the Portuguese and Moorish Governments may therefore now be considered as satisfactorily settled.

I have, &c.
(Signed) W. KIRBY GREEN.

Consul Ricketts to the Marquis of Salisbury.—(Received November 1.)

(No. 19.)

My Lord,

Tunis, October 25, 1888.

I HAVE the honour to inform your Lordship that some short time ago a note was addressed to the French Resident by the Italian Agent and Consul-General at this place, setting forth his objections to the publication by the Bey's Government of the Law in reference to public and private schools, as well as the various foreign Associations in Tunis.

The ground taken up by the Italian Agent is that these Laws are not in accordance with the usages established by the Capitulations, and that they are contrary to the spirit of the 2nd Article of the Italian Protocol of 1884, as well as of the XIVth Article of their Treaty of 1868.

A reply to this note was on the 23rd instant received from the French Resident by the Italian Consul-General. In this document, Article XIV of the Treaty of 1868, as well as Article 2 of the Protocol of 1884, are mentioned as not having the consequence assigned to them by M. Berio.

An attempt is then made to prove that the rest of the Treaty of 1868 is in favour of the action taken by the French in this matter, Articles XV and XVIII being cited in favour of this assertion. The schools, the Resident reserves, not being especially mentioned in the Treaty, one cannot infer that they ought to escape from the surveillance that the Bey's Government has formally reserved as regards schools and Associations in general. That recent Decrees have respected international obligations without exceeding the rights of the "Protectorate," and that they have been limited to applying these rights, which are inseparable, from the burdens accepted by France through the debt of Tunis, and its army of occupation.

He maintains that the Government of the Republic has never tried to restrict any of the advantages guaranteed by the Treaty of 1884; that the recent Decrees are necessary for the introduction of progress in Tunis; and adds that the Government of the Republic would assume a grave responsibility in not carrying out a surveillance of the various schools, whether native or foreign.

As regards the Associations, the French Resident is of opinion that these should be regulated according to the laws of France, and, if left to themselves, they will be filled with abuses. He then remarks: "Respecting the Treaties, and using at the same time the rights that confer on us the quality of Protectors, we have taken the dispositions necessary to cover our responsibility, and to answer to the exigencies of public order. These do not hurt the Italian establishments, and do not hinder any from being founded in future; they reserve to the State the superior right of control that cannot be contested, and, therefore, are not prejudicial but favourable to their establishments."

In conclusion, he draws the attention of the Italian Consul-General to the friendly conversation he had with him some few days since, after receiving instructions from the Foreign Minister in Paris, and assures him that every Italian wanting to form a school in future will only be required to make a declaration to that effect, the inspection not being carried beyond the moral and sanitary state of the establishment, the Government of the Protectorate having resolved to admit the Italian schools to have representatives in the Council of Public Instruction.

It will be observed from the foregoing that (1) the principle advocated by M. Berio, viz., the observance of Article 2 of the Protocol, and Article XIV of the Treaty of 1868, is passed over as little worthy of notice, Articles XV and XVIII relating to industries and banks being quoted in support of the introduction of the Laws in question; and (2) that the French Resident maintains the right of controlling all schools and Associations, the Italian Consul-General being politely invited to submit to this right by placing one or more members in the Council of Public Instruction. But this line of proceeding will, I am given to understand, not be accepted.

In the perusal of this note, which occupies numerous pages, an allusion is several times made to the word "Protectorate." Referring, however, to the Italian Protocol and the various Memorandums published on this subject in the years 1881 and 1883, I find no mention of the word "Protectorate": indeed, it is somewhat difficult to understand how this pretension can be set up in view of the fact that this country is admitted to be a dependency of the Sublime Porte, France herself having guaranteed by the Treaty of 1856 the integrity of the Sultan's territory, all the Capitulations

entered into between that Power and the Sultan having been, moreover, confirmed by the Treaties of 1824 and 1830. (Articles I and VII.)

I would here beg to inform your Lordship that the Professor of the English Missionary School established for the purpose of converting the Jews in this country, M. Perpetua, has become a member of the French Commission of Public Instruction, a proof that he means to observe the French Regulations bearing on this subject.

On the other hand, the Maltese "Società Patriottica" is, I hear, likely to raise objections to any interference on the part of the police; they say also that they will not permit the police to enter their residence for the sake of carrying out the French Regulations. They maintain, like the Italians, that, under the Capitulations, they formed a colony apart from the natives, enjoying many privileges and immunities, the which, though not especially mentioned in the Treaties, were never contested. That these immunities have become a right long established by custom, and that any detracting from this right is a deprivation of those privileges generally which were guaranteed them under the various Treaties and Capitulations. They invoke in their favour Article 2 of the Italian Protocol, and Article XIV of the Italian Treaty of 1868, as well as Article V of the Treaty of 1875 in reference to inviolability of domicile; and they contend that though, by the Arrangement entered into in 1883 the Consular jurisdiction was suspended, all other privileges and advantages, commercial and social, guaranteed by Treaties were reserved, and consequently that their Society ought to be left without having to submit to any interference or molestation on the part of the police or the officers of the Bey's Government.

Should your Lordship be of opinion that the Maltese community are right in the view taken by them of this subject, I trust that representation will be allowed to be made through Her Majesty's Representative at Paris for the purpose of setting aside the execution of the Decrees herein spoken of.

Since writing the above I have received the "Tunis-Journal," the organ of the French Residency, an extract of which is herewith inclosed. In this it is stated among other things that "having established the principle, this is sufficient for the moral effect, and that they are perfectly free to choose the day and the hour when it shall be applied."

In other words, if any reliance can be placed in newspaper publications, this matter will not be pressed any further at present.

I have, &c.
(Signed) G. T. RICKETTS.

Inclosure 1 in No. 43.

Extract from the Italian Protocol of January 25, 1884.

ARTICLE 2. Sauf cette dérogation au régime actuel, il est expressément convenu que toutes les autres immunités, avantages, et garanties assurés par les Capitulations, les usages, et les Traités restent en vigueur.

Le maintien de ces immunités et garanties est intégral envers les personnes et résidences Consulaires; il doit, envers les particuliers, n'être assujéti qu'aux restrictions absolument nécessaires pour l'exécution en Tunisie des sentences que les nouveaux Tribunaux rendront d'après la loi. Il n'est pas dérogé quant à leur exécution en Italie, aux règles en vigueur pour l'exécution des Jugements étrangers.

Inclosure 2 in No. 43.

Extract from Treaty of September 29, 1868, between Italy and Tunis.

ARTICLE XIV.

LES citoyens de chacun des deux États Contractants jouiront sur le territoire de l'autre de la plus constante protection et sûreté, et ils jouiront à cet égard des mêmes droits ou privilèges qui sont accordés, ou qui le seront, aux nationaux, en se soumettant aux conditions, aux impôts et autres charges qui sont imposés à ces derniers, sauf ce qui est établi à la fin de l'Article VIII.

Cependant, ils seront exempts dans les États de l'autre Partie du service militaire obligatoire, soit dans l'armée soit dans la marine, dans la Garde Nationale, ou dans la

milice; ils seront aussi exempts de tout devoir judiciaire et municipal, comme de toute contribution en argent ou en nature imposée en compensation du service personnel.

Aucune innovation n'est apportée à ce qui concerne la protection et la tutelle qu'exerce le Consul d'Italie à Tunis sur ses propres nationaux, ni aux droits supérieurs d'immunités ou privilèges dont ceux-ci sont en jouissance, en vertu des Traités, des Lois, et des usages.

La protection la plus étendue et complète est assurée par le Gouvernement Tunisien à l'exercice de quelque culte qui ce fût que professeraient des nationaux Italiens.

ARTICLE XV.

Les sujets de chacune des deux Parties Contractantes pourront exercer dans les États de l'autre toute espèce d'arts, de professions, et d'industries; ouvrir des fabriques et des manufactures, et introduire des machines mues par la vapeur, ou par toute autre puissance motrice, sans être assujettis à d'autres formalités ou à d'autres taxes que celles que les Lois ou Règlements généraux ou municipaux du pays imposeront aux indigènes.

Les édifices des fabriques et leurs atténuances, étant des biens immeubles, seront soumis dans le Royaume de Tunis aux stipulations de ce présent Traité qui sont relatives à de telles propriétés en général.

Après une demande préalable adressée par écrit par son Excellence le Ministre des Affaires Étrangères de Son Altesse le Bey, ou par le Président du Conseil Municipal, au Consul-Général, ou, en son absence, à la personne qui le représentera, les officiers du Gouvernement de Tunis pourront visiter la fabrique et faire les recherches suffisantes pour vérifier les infractions aux Lois et aux Règlements généraux ou municipaux d'hygiène, de police, de finances, ou d'autre nature et en référer au Gouvernement de Son Altesse le Bey qui pourra pourvoir aux moyens de faire cesser l'irrégularité dénoncée, et de faire appliquer d'une manière légale et par un Juge compétent les peines fixées par les Lois; mais il ne pourra pas en aucun cas empêcher, réduire, ou suspendre l'exercice légitime de l'industrie manufacturière à laquelle la fabrique est destinée.

ARTICLE XVIII.

Les citoyens de chacune des deux Parties Contractantes pourront librement établir dans les États de l'autre des Sociétés commerciales, industrielles, et de banques, des Associations mutuelles et en participation, ainsi que toute autre Société, soit entre eux, soit avec des sujets Tunisiens ou d'une troisième Puissance, pourvu qu'elles se proposent un but légitime et qu'elles se soumettent aux lois du pays dans lequel elles s'établissent.

Néanmoins, les Sociétés en Commandite dont le capital serait divisé en actions nominales, ou au porteur, ainsi que les Sociétés Anonymes, ne pourront point s'établir sur les territoires respectifs sans l'autorisation du Gouvernement local.

Extract from Treaty of August 8, 1830, between France and Tunis.

ARTICLE VII.

Les Capitulations faites entre la France et la Porte, de même que les anciens Traités et Conventions passés entre la France et la Régence de Tunis, et notamment le Traité du 15 Novembre, 1824, sont confirmés, et continueront à être observés dans toutes celles de leurs dispositions, auxquelles le présent Acte ne dérogerait pas.

Extract from Treaty of 1824 between France and Tunis.

ARTICLE I.

Tous les Traités de Paix faits entre l'Empereur de France et Sa Majesté le Sultan Ottoman, ou entre leurs prédécesseurs, ainsi que tout Traité qui sera conclu entre l'Ambassadeur de France à Constantinople et la Sublime Porte dans la vue de serrer les liens de paix et union entre les deux susdites Cours, seront strictement observés et reconnus par la Régence de Tunis et la Cour de France sans la moindre déviation d'un parti ou l'autre secrètement ou publiquement.

Inclosure 3 in No. 43.

Extract from the "Tunis-Journal" of October 25, 1888.

LES ÉCOLES ITALIENNES.—Il semble que la question des écoles Italiennes à Tunis préoccupe plus qu'il ne convient un certain nombre de nos compatriotes. C'est la faute à M. Crispi, qui nous a tous rendus plus ou moins nerveux, à force d'incidents et de provocations; mais c'est aussi la faute du tempérament national qui nous fait prendre trop vivement les choses, et nous porte à leur prêter immédiatement, par l'imagination, toute une série de conséquences. C'est ainsi que la protestation du Consul d'Italie Tunis à contre le Décret Beylical relatif aux écoles, a pris instantanément aux yeux de certaines personnes des proportions colossales: ne lisions-nous pas hier encore à ce propos, dans un journal, les mots de *casus belli*?

Voilà qui est faire bien naïvement le jeu des provocateurs Italiens. Comment ne voit-on pas que la tactique de la "Consulta" à notre égard est précisément de faire naître des incidents, de les grossir, de les traîner en longueur, et qu'en les prenant nous-mêmes avec tant de bonne volonté au tragique, nous faisons sottement la chose du monde la plus agréable à M. Crispi? Le successeur de Depretis et de Robilant ne cesse, en effet, de faire dire à tout propos et hors de tout propos, par une presse très disciplinée, que la situation est grave, d'abord, et que la France, ensuite, en est bien entendu responsable. C'est en suivant avec beaucoup de constance et d'habileté cette méthode, que l'homme d'État Sicilien travaille à se donner personnellement de l'importance, à maintenir en Italie un état d'esprit favorable à ses vues, à se faire passer pour l'homme nécessaire et à répandre chez lui et chez les autres cette idée que s'il lui arrive si souvent d'avoir l'apparence d'un Gallophobe, c'est toujours et chaque fois la faute de notre Gouvernement, de nos journaux, de nos diplomates, de la France enfin, que cet excellent homme ne demanderait qu'à aimer cordialement.

Le Décret du Bey n'est pas le premier prétexte saisi avec empressement par lui pour jouer cette petite comédie, et ce n'est pas le dernier; mais nous sommes bien convaincus jusqu'ici, quant à nous, que l'affaire, qui peut être plus ou moins gênante et délicate pour les hommes chargés de la traiter, pour M. Massicault, par exemple, ne sortira pas des limites d'un incident secondaire et ne présentera même jamais la gravité, très relative après tout, de l'incident de Massaouah.

Sur quoi porte en effet la difficulté? Sur le droit, contesté par les Italiens, que peuvent avoir les Inspecteurs Beylicaux de pénétrer dans les écoles Italiennes. La question, pour le moment, reste donc absolument théorique: nous ne savons même pas en quels termes le Consul Italien a présenté ses réclamations; nous savons encore moins ce que lui répondra M. Massicault; mais nous pensons qu'en termes courtois et conciliants il s'efforcera de faire comprendre à l'Agent de M. Crispi que le Gouvernement Beylical, aujourd'hui protégé de la France, n'a fait qu'user d'un droit élémentaire en publiant le simple Décret qui provoque les difficultés actuelles.

Et après? Après, le Résident de France attendra le moment opportun où il pourra donner à ses Inspecteurs, si le besoin s'en fait sentir, l'ordre de visiter les écoles Italiennes à Tunis. Le principe est posé et maintenu: c'est très suffisant jusqu'ici pour l'effet moral. Le jour où il y aurait urgence à l'appliquer, on l'appliquerait; les Italiens ont bien appliqué à Massaouah la politique de M. Crispi, qui était, elle, parfaitement contraire au droit strict.

Mais c'est là une supposition, une question hypothétique, visant l'avenir, et cet avenir, en aucune façon, ne doit être très rapproché; il ne le serait que si nous le voulions, car nous sommes parfaitement libres de choisir notre jour et notre heure. Les Italiens savent très bien que nous n'avons encore pour le moment nulle raison de nous hâter: c'est même là ce qui explique à nos yeux l'empressement des protestations Italiennes; et encore pouvons-nous remarquer—le fait est curieux—que l'on a laissé à un organe qui n'engage pas le Gouvernement, à la "Tribuna," le soin de poursuivre *ex professo* la discussion. C'est la "Tribuna" surtout qui disserte longuement, qui invoque les Traités et les textes; c'est elle qui dénie d'une façon absolue le droit aux Inspecteurs Français de pénétrer dans les écoles Italiennes. Les feuilles officieuses n'ont même pas formulé à ce propos de déclarations formelles, et l'on voit par cela seul de combien il s'en faut qu'il y ait, comme quelques-uns l'ont cru, péril en la demeure.

Sir W. K. Green to the Marquis of Salisbury.—(Received November 3.)

(No. 127. Ext. 11.)

My Lord,

Tangier, October 25, 1888.

I HAVE the honour to report, for your Lordship's information, that I have this afternoon received a letter from Fez, under date of the 21st instant, announcing that the Zarhon fraction of the Shercefs of Mulaï Driss, who had arrived at Fez from their sanctuary, situated between that town and Mequinez, claimed to appropriate the whole of the present made by the Sultan, when he entered Fez, to the Mosque of Mulaï Driss. The Fez Edrissites objecting to this a dispute arose, during which a Sherceef of Zarhon stabbed one of the Fez Drisseen, whereupon the Sultan directed that the Zarhonnees should leave the town, which, however, they declined to do, and assembled together fully armed.

When my informant was dispatching his letter the shops around the Great Mosque were closed in expectation of a disturbance, but I think the present cause for the dispute between the Shercefs does not offer sufficient elements for the development of general public disorder.

I have already had the honour of telegraphing the substance of the foregoing information to your Lordship.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 45.

Mr. Donkin to Foreign Office.—(Received November 3.)

Dear Sir James,

Campville, North Shields, October 31, 1888.

INCLOSED, from my legal friend about the land at Tangier: do not trouble to own receipt. Please communicate with my friend Minchin if you wish any further details.

Faithfully yours,
(Signed) R. S. DONKIN.

Inclosure in No. 45.

Letter addressed to Mr. Donkin.

*2, Metal Exchange Buildings, 95 and 96, Gracechurch Street,
London, October 22, 1888.*

My dear Donkin,

YOU took such a kind interest in this, that I feel it due to you to give you a report of the present position of affairs.

Sir J. Fergusson's Secretary wrote in July, asking for time to consider matter. This most proper request was of course complied with, and I told our client, even in September last, that I could be no party to worrying the Government to come to a hasty decision. Last Friday, however, the Private Secretary for one of the best known M.P.'s of the north called on me, and asked us to send his Principal particulars. We cannot, of course, decline to do business with any one; but as (for many reasons, patriotic and otherwise) I should prefer Her Majesty's Government purchasing, I have written Sir J. Fergusson a letter, reminding him that the matter had now been before him since July, and that our clients had been approached by private parties. Since this was written, I have heard from our client that in Tangier it is openly stated that the sale of this land to the British Government is a *fait accompli*. I may add, that I gave Sir James a confidential statement, showing the reasons why Her Majesty's Government should acquire this land.

Did you observe in the "Morning Post" of the 16th or 18th, that "Gibraltar without Tangier would lose much of its importance"?

When are you returning to town? I should be glad if you could write or see Sir J. Fergusson, as I should be very sorry if this piece of land did not become British territory; it would only cost 10,000*l.* I do not like, however, to trouble you in the matter, and really write from motives of courtesy than from any wish to trouble you.

Sir W. K. Green to the Marquis of Salisbury.—(Received November 5.)

(No. 10. Africa.)

My Lord,

Tangier, October 23, 1888.

WITH reference to the Cape Juby outrage, I have the honour to transmit herewith, for your Lordship's information, the copy of a despatch from Consul Payton urging me to obtain orders from the Sherceefian Government to certain of the Provincial Governors enjoining upon them the necessity of effecting the arrest of two men who are believed to have been the chief actors in the murder of Mr. Morris.

In compliance with Consul Payton's suggestion I have addressed a further representation to the Moorish Court, renewing my demand for the arrest of all those who are supposed to have been compromised in the Cape Juby outrage, though, had I been allowed to follow my own course, I should not have made known to the native authorities whom I suspected until the evidence concerning the whole matter had been completed. The independent action of the agents of the North-west African Company has, however, obliged both Mr. Payton and myself to support their efforts to secure the arrest of individuals before I could obtain the issue of categorical orders on the subject by the Sultan, and thus, probably, great difficulty will be experienced in securing the ultimate capture of all those who feel themselves implicated in the slightest degree in the Cape Juby outrage.

Under the circumstances I venture most humbly to repeat the suggestion to your Lordship contained in my despatch No. 9, Africa, of the 30th August last, that I should not delay much longer in communicating to the Moorish Government the exact nature of the reparation which should be made for the outrage.

I have, &c.
(Signed) W. KIRBY GREEN.

Inclosure in No. 46.

Consul Payton to Sir W. K. Green.

Sir,

Mogador, October 10, 1888

WITH reference to my Consular despatch of the 19th September last, on the subject of the Cape Juby murder, I have the honour to report further as follows:—

Kaïd Aïssa-ben-Omar, of Abda, continues to deny all knowledge of Abderrachman-bel-Fekkuk and Gilaly-bel-Bouhalli, hitherto described as Boughali.

Mr. Vice-Consul Hunot had been told that Abderrachman-bel-Fekkuk had been in Abda, but had gone to Court; Gilaly was said to be in Wad Noon.

On the other hand, Mr. Carleton had strong reason to believe that both men were at Kaïd Aïssa-ben-Omar's the day before he went up there.

It is now supposed that they are both in Wad Noon, probably with Kaïd-bel-Fekkuk.

It is tolerably evident that there is little chance of our getting any provincial officials to take these men, until the Sherceefian Government can be induced to order their arrest, making Kaïd (Hadeedou) bel-Fekkuk, Kaïd Err'ha at Wad Noon, who is said to have planned the murder, responsible for them.

It is much to be feared that the men have been made aware that inquiry is on foot, and that unless orders for their arrest are speedily issued by Government they may succeed in baffling pursuit.

I have, &c.
(Signed) CHARLES A. PAYTON.

No. 47.

Sir W. K. Green to Mr. Barrington.—(Received November 3.)

(Private.)

Dear Mr. Barrington,

Tangier, October 23, 1888.

WITH reference to your late question *re* Cape Juby outrage, I can now tell you that I have learnt, through a source which may be looked upon as fairly trustworthy,

that the Sultan is very anxious to have the whole matter off his mind, as he feels that the case against his Government is a bad one.

Of course His Majesty's idea is to wipe the thing out by a money payment, but Moorish views of the value of money are very different to ours, and I have no doubt Mulaï Hassan will be considerably startled on hearing at what sums English lives and property are priced, be the amounts ever so moderate.

I think we should, in any case, insist upon the punishment of the perpetrators of the attack, for they are quite within the reach of the Sultan's authorities; and also on the money compensation which should be paid to Mr. Morris' widow and to the men who were wounded. As for the loss of business, &c., by the Company, perhaps it would not be a bad way of getting the thin end of the wedge of improvement into this country by consenting to accept, in lieu of money, some concession to the North-west African Company for bridges, railway, or port construction.

I am not sure that we should listen for a moment to proposals to abandon the Company's rights to Cape Juby. With Africa's expected early future we may learn to regret the surrender of Juby, as many do now the abandonment of Tangier two hundred years ago.

It is necessary to add that, however soon I may be instructed to commence pushing the Juby claim, it is not likely to be settled in a day, for Moors, even when they have made up their minds to accept the inevitable, move but slowly.

Believe me, &c.

(Signed) W. KIRBY GREEN.

No. 48

The Marquis of Salisbury to Mr. Egerton.

(No. 509. Confidential.)

Sir,

Foreign Office, November 5, 1888.

I TRANSMIT, for your confidential information, the accompanying copy of a despatch from Her Majesty's Ambassador at Madrid in regard to supposed French designs in Morocco.*

You will perceive that the Spanish Minister for Foreign Affairs is much alarmed at the military movement in the direction of the Oasis of Figuig which has been reported to his Excellency, and has expressed to Sir C. Ford the hope that it might be possible to instruct you to sound the French Government on the subject, in order to allay the fear he entertains lest any hostile movements were at present contemplated by the French against the independence of Morocco.

I further transmit copies of two despatches from Her Majesty's Minister at Tangier upon the subject,† and I have to request you to mention the matter unofficially to the French Government as a newspaper report only, citing as your authority the extract from the "Réveil du Maroc," which accompanies Sir W. K. Green's despatch No. 123 of the 17th ultimo, and to express the hope of Her Majesty's Government that no permanent occupation of Moorish territory is meditated.

I am, &c.

(Signed) SALISBURY.

No. 49.

Consul Ricketts to the Marquis of Salisbury.—(Received November 6.)

(No. 20.)

My Lord,

Tunis, October 29, 1888.

I HAVE the honour to inform your Lordship that a French transport, called the "Isère," arrived on the 27th instant at Bizerta, and discharged at that port 200 tons of coal, one barge full of iron, some torpedoes, and machinery for the manufacture of torpedoes.

I inclose herewith an extract from the "Tunis-Journal" of the 26th October, in which an allusion is made to the establishment of a floating dock in the harbour above mentioned.

I have, &c.

(Signed) G. T. RICKETTS.

* No. 23.

† Nos. 22 and 28.

Inclosure in No. 49.

Extract from the "Tunis-Journal" of October 26, 1888.

LE port de Toulon a reçu l'ordre de préparer un stock de charbon spécial d'Anzin pour les torpilleurs du dépôt de Bizerte, où l'on va transporter prochainement un dock flottant pour ces petits navires. Le dock est en achèvement dans les ateliers de Fives-Lille (Nord), qui en ont plusieurs à construire pour le compte du Gouvernement.

No. 50.

M. Catalani to the Marquis of Salisbury.—(Received November 7.)

(Translation.)

My Lord,

20, Grosvenor Square, November 5, 1888.

SIGNOR CRISPI informs me that the British Chargé d'Affaires in Rome has called his attention to a Decree of the French Government published in the official Gazette of Tunis, in which the President of the French Republic withdraws from the French Tribunals which have recently been substituted for the English Consular Courts (and for the different foreign Consular Courts), the duty of hearing appeals from the decisions of the Local Mixed Courts in cases concerning real property. As this provision has the effect of depriving English subjects (and also the subjects of the other foreign Powers) of the right of appeal from the decisions of the Local Courts, Mr. Kennedy asked the opinion of the Italian Government on the matter.

Signor Crispi informed the British Chargé d'Affaires, in reply, that he had not yet received the Decree in question. He observed, however, that if the Decree had the effect stated by Mr. Kennedy, it would violate, as concerns Italy, Article XXII of the Treaty of the 8th September, 1868, between Italy and Tunis, and would set aside the conditions set down in the Protocol of the 25th January, 1884, under which Italy consented to suspend Consular jurisdiction in Tunis. He added that if the Government of Paris appeared to intend not to abide by the Treaty and the Protocol, but to alter the jurisdiction of the French Court in Tunis of their own authority and by provisions having their assent only, Italy would be at once fully entitled to revive her Consular jurisdiction, which has been temporarily suspended, but in nowise abolished.

Signor Crispi stated, in conclusion, to the British Chargé d'Affaires, that His Majesty's Government would willingly associate itself with the Queen's Government on this as on other occasions in any steps taken to cause the rights of Italy and England in Tunis to be respected.

I have the honour, in connection with the above-mentioned communication made to the British Chargé d'Affaires, to beg your Excellency to be so good as to inform me what steps Her Majesty's Government has taken or intends to take in the matter in question.

With anticipated thanks for the answer, &c.

(Signed) T. CATALANI.

No. 51.

The Marquis of Salisbury to Sir W. K. Green.

(No. 12.)

(Telegraphic.)

Foreign Office, November 8, 1888, 4.30 P.M.

CAPE JUBY.

Press strongly for punishment of murderers. Also for money compensation to be settled by the arbitration of any impartial person you may select. The compensation to be for Mr. Morris' widow and the wounded men. For injury to the business of the Company ask a large sum, but say you will endeavour to induce the Company to forego any claim in this behalf, except for actual loss of goods and buildings, if the Sultan will give authority to the Company, so far as he possesses it, to trade at Cape Juby and the surrounding country.

No. 52.

The Marquis of Salisbury to Sir W. K. Green.

(No. 100. Ext. 12.)

Sir,

Foreign Office, November 8, 1888.

WITH reference to your despatch No. 10, Africa, of the 23rd ultimo, I have to request you to press strongly for the punishment of the murderers in the Cape Juby case, as well as for a pecuniary compensation to be arranged through the arbitration of some impartial person whom you may select for the purpose; the compensation to be for the widow of Mr. Morris, who lost his life, and for the men who were wounded.

You will demand an adequate sum for the injury caused to the business of the Company, but you will add, in making the demand, that you will use your endeavours to persuade the Company to forego any claim in this respect, beyond the actual loss incurred as regards goods and buildings, on the condition that the Sultan of Morocco will, so far as he possesses it, give authority to the Company to carry on trade at Cape Juby and in the surrounding country.

The substance of the foregoing has this day been communicated to you by telegraph.

I am, &c.
(Signed) SALISBURY.

No. 53.

Sir W. K. Green to the Marquis of Salisbury.—(Received November 10.)

(No. 128.)

My Lord,

Tangier, November 2, 1888.

WITH reference to my despatch No. 126 of the 25th ultimo, I have the honour to transmit herewith, for your Lordship's information, the copy of a despatch received by me to-day from Vice-Consul Imossi, reporting the arrival at Larache of two Portuguese ships of war, and the saluting with twenty-one guns by the Moorish batteries of the Portuguese flag hoisted on the Portuguese Vice-Consulate, in reparation of the recent outrage committed by the natives of that port on some Portuguese fishermen.

I have, &c.
(Signed) W. KIRBY GREEN.

Inclosure in No. 53.

Vice-Consul Imossi to Sir W. K. Green.

Sir,

Larache, October 30, 1888.

I HAVE the honour to inform you of the arrival of two Portuguese men-of-war, "Vasco de Gama" and "Rainha de Portugal," yesterday at 10 A.M. Just as the vessels arrived off the port the Portuguese flag was hoisted at the Portuguese Vice-Consulate, whereupon the Moorish forts saluted with twenty-one guns, as satisfaction for the outrage committed here on some Portuguese fishermen in August last.

The vessels left at 5 P.M. without communicating, in consequence of the heavy sea on the bar.

I have, &c.
(Signed) JOSEPH IMOSSI.

No. 54.

Sir E. Malet to the Marquis of Salisbury.—(Received November 12.)

(No. 347. Confidential.)

My Lord,

Berlin, November 8, 1888.

COUNT BISMARCK informed me yesterday that Count Benomar, hitherto Spanish Ambassador at this Court, had been recalled, and would be replaced by Señor Rascon, at present Spanish Ambassador to the Quirinal.

Count Bismarck said that an old quarrel existed between Count Benomar and the Marquis Vega de Armijo, and that five years ago when the Marquis was in power he had wanted to recall Count Benomar, and had only failed to do so through going out of office. Count Benomar went on leave this summer, and on seeing the Marquis Armijo, who had received him civilly, had told him somewhat frankly that the foreign policy of the Spanish Government was viewed with some suspicion at Berlin, as veering too much towards France. Señor Armijo said nothing at the time, but sent for Count Benomar next day, and told him that their views were so different that he must call upon him to resign.

Count Bismarck expressed great regret at the incident, as Count Benomar, during his long residence at Berlin, has acquired the confidence and good-will of the German Government and of his colleagues. His recall has produced general regret.

Count Bismarck added that the Marquis Vega de Armijo had named a new Ambassador to the Quirinal, Señor Albareda, without going through the usual form of asking whether the selection would be agreeable, a want of courtesy at which Signor Crispi had been greatly incensed.

In connection with the subject, I have the honour to inclose a translation of the summary of a letter from Berlin which has appeared in the "Politische Correspondenz," and which is evidently a communication of a semi-official order.

I have, &c.
(Signed) EDWARD B. MALET.

Inclosure in No. 54.

Summary of a Letter in the "Politische Correspondenz."

(Translation.)

(Telegraphic.)

A LETTER from Berlin in the "Politische Correspondenz" draws attention to the ever-growing intimacy between Spain and France since the Marquis Vega de Armijo assumed the charge of Foreign Affairs. This intimacy has come to light in various ways, but especially in a combination directed against the other Mediterranean Powers as regards the Morocco question.

The recall of Count Benomar from Berlin, as well as that of Count Rascon from Rome, who both enjoyed great popularity and confidence at their respective posts, is calculated to bring about that estrangement which is so ardently desired on the part of France.

No. 55.

Sir E. Malet to the Marquis of Salisbury.—(Received November 12.)

(No. 349. Secret.)

My Lord,

Berlin, November 10, 1888.

COUNT BISMARCK told me yesterday that Signor Crispi affirms that he has heard, from authority on which he can rely, that the Marquis Vega de Armijo has made a Secret Treaty with France for the partition of Morocco, but that Count Solms, the German Ambassador at the Quirinal, who was for some years at Madrid as Minister, does not credit the report, one of his reasons against it being that the Queen of Spain, in whom perfect reliance can be placed, would not permit her Minister to enter into an engagement which would be a flagrant breach of faith with Italy.

Count Bismarck remarked that there was room for both suppositions to be correct, as the Marquis might perfectly have come to some secret understanding with the French Government without its taking the form of a Treaty or being within the knowledge of the Queen.

I have, &c.
(Signed) EDWARD B. MALET.

No. 56.

The Marquis of Salisbury to Sir W. K. Green.(No. 13.)
(Telegraphic.)*Foreign Office, November 12, 1888, 3.30 P.M.*

THE Representatives of Italy, Germany, and Austria have all questioned me with respect to a reported Agreement between Spain and France as to the future destination of Morocco.

I replied that rumours to that effect had reached me, but that I had no certain knowledge.

I asked the French Ambassador, who told me that negotiations might be going on in respect to Figuig, but that he had no information that such was the case. He was certain that no communications upon any other point were going on between France and Morocco.

Pray telegraph to me if you have any precise information on this subject.

No. 57.

The Marquis of Salisbury to Sir W. K. Green.

(No. 101. Ext. 13.)

Sir,

Foreign Office, November 12, 1888.

I HAVE to acquaint you that the Representatives at this Court of Italy, Germany, and Austria-Hungary have severally addressed questions to me with reference to a rumoured agreement come to between Spain and France as to the future destination of the Moorish Empire.

I have replied that, though rumours to that effect have reached my ears, I have no certain knowledge of such an agreement.

I made inquiries of the French Ambassador, who informed me that it was possible that negotiations might be taking place with regard to Figuig, but that he had no knowledge that such was the case. His Excellency was certain that no communications were passing upon any other point between France and Morocco.

I have to request you, if you are in possession of any precise intelligence on this matter, to inform me by telegraph.

I have to-day sent you, by telegraph, the substance of the foregoing.

I am, &c.

(Signed) SALISBURY.

No. 58.

The Marquis of Salisbury to Sir W. K. Green.(No. 14. Secret.)
(Telegraphic.)*Foreign Office, November 12, 1888, 3.45 P.M.*

THE German Ambassador mentioned to me your communication with the Representatives of the other Powers as to the future of Morocco, and expressed his apprehension that your speculations might encourage French designs.

It would be as well to bear this danger in mind in any further consultations which you may have.

No. 59.

The Marquis of Salisbury to Sir W. K. Green.

(No. 102. Secret. Ext. 14.)

Sir

Foreign Office, November 12, 1888.

WITH reference to your despatch No. 117 of the 14th ultimo, I have to state to you that the German Ambassador at this Court spoke to me of the communications which had taken place between the Representatives of the other Powers at Tangier and yourself in regard to the future of the Moorish Empire, and his Excellency gave expression to his apprehension that your speculations might tend to encourage French designs upon Morocco.

You would do well, in any further consultations which you may have with your colleagues, to bear this risk in mind.

The substance of the foregoing has this day been communicated to you by telegraph.

I am, &c.
(Signed) SALISBURY.

No. 60.

Sir W. K. Green to the Marquis of Salisbury.—(Received November 13, 7.45 P.M.)(No. 12.)
(Telegraphic.)*Tangier, November 13, 1888, 5.15 P.M.*

YOUR Lordship's telegram No. 13 of yesterday.

My Italian colleague lately mentioned to me that he had been surprised to find, from a conversation with Spanish Minister, that the latter considers that no opposition need be made to an advance of the French to Figuig, provided it did not contemplate encroachments in direction of Tafilet.

This morning Spanish Minister explained to me that, though Spanish Government would protest against any advance whatever as a violation of present frontier, still he felt sure that no valid opposition would arise until the French marched on Fez. He added he was certain Sultan would submit to the taking of Figuig, and abstain from invoking foreign support to object to it.

No. 61.

The Marquis of Salisbury to Sir W. K. Green.

(No. 103.)

Sir,

Foreign Office, November 13, 1888.

I HAVE received your despatch No. 117 of the 14th ultimo, in which you report the discussions which have taken place between yourself and certain of your colleagues in regard to the affairs of Morocco.

I have to state to you that I approve your having given those gentlemen clearly to understand that in what you stated you were speaking on your own responsibility, and were not necessarily binding Her Majesty's Government to the views which you expressed.

It happens to Her Majesty's Government that they can hardly take action in the direction that you suggest in the concluding paragraph of your despatch until they are informed that the proposed Conference at Madrid is definitively abandoned.

I am, &c.

(Signed) SALISBURY.

No. 62.

The Marquis of Salisbury to Sir Clare Ford.

(No. 155.)

Sir,

Foreign Office, November 13, 1888.

I TRANSMIT, for your Excellency's information, the accompanying copy of a despatch which I have addressed to Her Majesty's Minister at Tangier, in reply to his despatch No. 117 of the 14th ultimo, reporting the discussions which have taken place between himself and certain of his colleagues in regard to Maroquine affairs.*

I have to state that it is not advisable for your Excellency at present to take the initiative in reviving the discussion of the proposed Conference at Madrid on Morocco.

I am, &c.

(Signed) SALISBURY.

Sir W. K. Green to the Marquis of Salisbury.—(Received November 14.)

(No. 129.)

My Lord,

Tangier, November 6, 1888.

I HAVE the honour to transmit herewith, for your Lordship's information, the translation of a note received by me the day before yesterday from the Moorish Minister for Foreign Affairs at Fez announcing that the Sultan, in view of the difficulties which had arisen in the assembling of a Conference to regulate the question of the foreign protection of natives, considers it expedient to withdraw his request for the meeting of such a Conference, and to revert to the strict observance of the stipulations of the Convention of Madrid of July 1880.

Your Lordship is already aware that the Shereefian Government, as soon as it ascertained that the proposed Conference could not be limited to a simple decretal of the abolition of protection, which had been the end evidently promised to it by the Spanish Representative, had heard last autumn with a considerable sense of relief of the indefinite postponement of the meeting of the proposed Conference.

I am therefore led to believe that the present note of Cid Emfadl Gharnit, which has been addressed to all the foreign Representatives here, has been launched under a sudden alarm, that the question of judicial and commercial reforms in Morocco might once more be considered by the European Powers, and under the hope of stopping at the outset such deliberations.

I cannot refrain from suspecting that my Spanish colleague has once more been the counsellor of the Moorish Government, and that he suggested the note quashing definitely the question of a Conference on Maroquine affairs after his conversation with me on the need of united action on the part of the leading foreign Representatives here to induce the Sultan to ameliorate his administration with regard to Morocco's intercourse with the outer world. (*Vide* my No. 117 of the 14th ultimo.)

Señor Diosdado tells me that he entirely sympathizes with the object of the Moorish Circular, for he is convinced that the Shereefian rule can only last so long as it remains motionless. Probably he uses the same language to the Moorish Government, which blindly follows it with ecstatic satisfaction.

Should your Lordship not deem the withdrawal of the Moorish demand for the reassembling of a Conference at Madrid a conclusive reason for abstaining from all further endeavours to lead the Sultan to ameliorate the condition of his country, I would venture to suggest that I might be instructed to reply to Cid Emfadl Gharnit's note by pointing out the loyal manner in which the Convention of Madrid has been observed by the British Legation and Consular authorities in Morocco, and the consequent right, under the Convention, of British subjects to be permitted to purchase and hold property in Morocco, a right which has hitherto been only accorded to foreigners at Tangier, and in no other part of the Empire.

I might also in my reply attempt to combat the Sultan's belief that fate only obstructs matters of which the advantages are not understood by his Government. His Shereefian Majesty may in the end be brought to accept as fated the need for the introduction into his country of judicial and commercial reforms, but he will never do so as long as he is encouraged to follow Señor Diosdado's advice to slam the door in the face of intruding progress.

I have, &c.

(Signed) W. KIRBY GREEN.

Inclosure in No. 63.

Cid Emfadl Gharnit to Sir W. K. Green.

(Translation.)

(After compliments.)

OUR Lord—may God make him victorious! has commanded me to inform you, O friend, with regard to the Conference—the convocation of which at Madrid for the revision of the Convention has been requested for some considerable time past, and as to which negotiations were pursued between the Representatives of friendly Governments without their being able to come to an agreement on the matter, owing to the requirements of their policy—that the Sultan—may God exalt him! has considered the matter and has become convinced that God—praised be His name! has not willed it, and His Divine

wisdom has not ordained it; and he (the Sultan) has resigned this matter to the Almighty, and has desisted from it, submitting himself to the ruling of Omnipotence. Your Lord (God) doeth that which seemeth good unto Him. There is a wise saying: "He who wishes at any time to bring about anything other than what God causes to happen, has sunk to the lowest depth of ignorance. Still, that which cannot be obtained in its entirety need not be abandoned altogether, as is said in the proverb, particularly when dealing with an evil which ought to be removed, such as protection, which has given rise to numerous complaints and much oppression; and it is to be desired that the Regulations set down in the aforesaid Convention be observed in the matter of protection, and that each of the Representatives of the friendly Powers send a list of protégés every year to the Naïb Sid El Hadj Mohammed Torres, in order that he may forward it to His Shereefian Majesty, and that the Sultan may send it to the Governors, and order them to settle affairs for the protected persons mentioned in it, in accordance with the Treaty on Protection, and to conform to its stipulations, and in order that they should stretch out their hands on any protected person, an end may be put to their excuses that they did not know he was protected, or that the Naïb's letter informing them that he was under protection had not reached them, and so that any of them committing an infraction (of these orders) may be punished immediately as the occasion may require. Peace!

Dated, Safer 18, 1306 (24th October, 1888).

(Signed) MUHAMMAD EL MUFADDAL BEN MOHAMMUD GHARNIT.

No. 64.

Sir W. K. Green to the Marquis of Salisbury.—(Received November 14.)

(No. 130. Confidential.)

My Lord,

Tangier, November 6, 1888.

SIGNOR CANTAGALLI, the recently-appointed Italian Minister here, at the beginning of last month obtained leave to proceed to Rome in order to give Signor Crispi verbal explanations on the position of political affairs in Morocco prior to proceeding to the Shereefian Court to present his credentials to Mulaï Hassan.

My Italian colleague has now returned, having during his absence not only visited Rome, but also Vienna, Paris, and Madrid. The latter capital was necessarily passed on Signor Cantagalli's journey to and from Rome, but as neither Paris nor Vienna were absolutely in his route, considerable comment has arisen as to the cause for his visiting those capitals, and it has been asserted in foreign newspapers that a question is being discussed by the Governments of the Triple Alliance as to whether Morocco should not be placed under the Protectorate of Spain.

Signor Cantagalli assures me that all these rumours are utterly devoid of foundation, and that he went to Paris and Vienna on purely private affairs.

With regard to Rome, however, he tells me that he was met with the information at the Foreign Office there that an understanding had been come to between the French and Spanish Governments on Moorish affairs, and that the announcement of the fact had been received from the Italian Representative in London.

Signor Cantagalli expressed his doubts as to the presumed understanding having been attained, for he had observed no symptoms of its existence before he left Tangier.

Signor Crispi, however, did not appear convinced by the arguments he used to combat the idea of a Franco-Spanish Agreement, and concluded by saying to Signor Cantagalli, "Well, my friend, go back to Morocco and redouble your vigilance in watching French proceedings."

My Italian colleague further told me that he was instructed to continue his intimate and cordial relations with me. It would, therefore, be a satisfaction to me to learn whether your Lordship wishes that I should hold fairly unreserved intercourse on the affairs of this country with Signor Cantagalli.

I have, &c.

(Signed) W. KIRBY GREEN.

No. 65.

Sir Clare Ford to the Marquis of Salisbury.—(Received November 14.)

(No. 28.)
(Telegraphic.)

Madrid, November 13, 1888, 11:5 P.M.

SAW Minister for Foreign Affairs this evening. He denied in the most emphatic manner having entered into any agreement with France respecting Moorish affairs. He declared that he supported, and would continue to support, the maintenance of the existing *status quo* in Morocco, which was the true policy for Spain to pursue.

No. 66.

Mr. J. G. Kennedy to the Marquis of Salisbury.—(Received November 14, 4:45 P.M.)

(No. 43.)
(Telegraphic.)

Rome, November 14, 1888, 3:20 P.M.

YOUR Lordship's telegram No. 44 of 12th November.

Signor Crispi believed a fortnight ago that an understanding had been arrived at in Madrid between the French Ambassador and Spanish Minister for Foreign Affairs for an eventual partition of Morocco.

Reports from Spain and elsewhere received since above date do not seem to confirm Signor Crispi's information.

No. 67.

Memoranda dated November 14, 1888.

(A.)

THE port of Bizerta is situated inside a bay of semicircular form, which makes a good roadstead. From the bay a natural channel about 2 kilom. long runs into a lake, the real inner harbour.

The depth of the latter appears to be about 11 metres; in some places it is deeper than this; it covers an area of 150 square kilom. The lake is therefore large enough and deep enough for any fleet.

The chain of sand hills which separates the inner harbour from the open sea, and the surrounding eminences, prevents it from being seen or bombarded from the direction of the open sea, and affords protection against the wind.

The channel which runs out to the sea through a sandy tract is at the present time much choked with sand; its depth is $1\frac{1}{2}$ to 2 metres, its average breadth about 200 metres. It would be easy to deepen it by dredging the sandy bottom, and to cut through the sand hills in order to make further channels to the sea. At the most favourable point for the cutting a new channel 3,000 metres long could be constructed. From the point where the channel reaches the sea it is necessary to go out 250 metres before reaching a depth of 10 metres. It would be easy to continue the channel to this point, nor would the necessary precautions against the drifting of sand present any difficulty. Behind Bizerta is the most fertile and populous part of the Regency of Tunis; the capital is 60 kilom., and the nearest railway station, Tebourka (on the Algerian and Tunisian Coast Railway), 45 kilom. from Bizerta. If the railway were brought up to Bizerta, which could easily be done under the favourable circumstances of the ground, &c., that town could be supplied with everything necessary from all parts of Algeria and Tunis.

It may be concluded, from what has been stated above, that a strong military port could be established at Bizerta in the space of two or three years at a moderate cost. Its chief advantage would lie in the complete security which would be enjoyed by any fleet in the inner harbour and the sheltered position of the buildings, &c., devoted to the service of ships of war and merchant-vessels in the port.

Such a port would influence to a very considerable extent the future development of the political and commercial relations of France and Tunis, and would serve as a base for the consolidation and extension of the African possessions of the Republic.

At the present moment France does not possess a single important harbour on

her African coast. It would therefore appear to be the natural course for her to carry out the scheme for the construction of a military port at Bizerta. A proposal to make the new port equal in extent and armament to Cherbourg, Brest, and Toulon has appeared in the French press. The only steps that have been taken, so far as is known, are that General Miribel surveyed the district of Bizerta in the spring of 1888, and that it has been decided to bring a floating dock for torpedo-boats to Biserta.

If the plan is carried out, the balance of power on the Mediterranean will be affected to a considerable extent, the power of France as compared with Italy and England will be greatly increased, and the chances of the success of any undertaking on the part of France in the Mediterranean materially improved, especially in view of the efforts she is making to fortify the port of San Bonifacio in Corsica.

Bizerta is situated where the sea that divides Sicily from Africa is narrowest, 30 geographical miles from Sicily and Sardinia, and 60 miles from Naples. None of these places have been sufficiently fortified by Italy.

A fleet that could rely on the fortified port of Bizerta for shelter would not only be able to interrupt the communication between the western and eastern parts of the Mediterranean, but would also threaten the coasts of Sicily and Southern Italy. Any attempts of the kind would at the present time have to be made from Toulon, and the French would be hampered by having the Italian fleet, with Spezia behind it, on their flank.

The possession of a military port at Bizerta would also enable France to make use of any troops she could spare from Africa for effecting a landing in Sicily or Southern Italy. She could mobilize for the purpose within eight days about 20,000 infantry, 3,000 cavalry, and 24 to 36 field-pieces at Bizerta and Gouletta (on the Bay of Tunis); it would take ten hours to transport them to Sicily, twenty to Naples. A French military port at Bizerta, the narrowest part of the Mediterranean, would also most seriously threaten the English line of communication between Gibraltar, Malta, Suez, and the Levant. The value of Cyprus and the Suez Canal, the possession of which has hitherto insured the preponderance of power on the Mediterranean to England, would probably be greatly diminished by the construction of a great French military port close to the British line of communication.

The French Estimates for 1889 do not throw any light on the intentions of the French Government with regard to Bizerta.

(B.)

Bizerta.—I. Its Position and Surroundings.

BIZERTA is situated 32 marine miles north-north-west of Tunis, on the shore of the Mediterranean at about the most northerly point of Africa, and where the lake which has the same name as the town has its outlet into the sea. The town is situated on both sides of the channel, and in part on an island in the channel. It has about 8,000 inhabitants, and is surrounded by a wall about 10 metres high. A citadel and a few forts, mostly in ruins, complete the defences of the place. There is a railway from Bizerta to Tunis, and the town is thus connected with all the great ports of Algeria.

The lake, which is situated to the south of the town, runs in a south-westerly direction for about 4 marine miles (7,300 metres) at a breadth of about 1,000 metres, and then expands into a large basin in the form of a rectangle, the length of which from north to south is 5 marine miles, and the breadth from east to west about 7.5 marine miles; the depth of the lake varies from 3.7 to 12.8 metres. Behind the town there is a small eminence, otherwise the immediate neighbourhood is flat. The hills which run along the northern coast of Tunis in a westerly direction begin to the north-west of the town; the peninsula between the lake and the sea to the south of the town contains a few slight eminences. The roadstead of Bizerta has a bad anchorage, and is quite open to the north and east.

II. Bizerta as a Military Port.

Bizerta was once one of the best harbours on the Mediterranean, and might again be made so without great difficulty. Admiral Aube, formerly French Minister of Marine, had the intention of founding a great marine arsenal there, but his proposal was rejected. However, the idea of utilizing the advantages afforded by the position of Bizerta has not been given up. The lake is deep enough to admit the biggest ships

after a very moderate amount of dredging, and it would only be necessary to make a sufficiently deep channel to connect the lake and the sea. Such a channel was formerly planned, and it was proposed to carry it straight through the intervening wall of sand to the south of the town. It is not known whether steps have yet been taken to carry out this project. The channel which passes through the town has, however, been deepened so as to allow torpedo-boats to enter the Lake of Bizerta, and according to the latest information a floating dock specially adapted for torpedo-boats is to be brought to Bizerta, and a torpedo station established there.

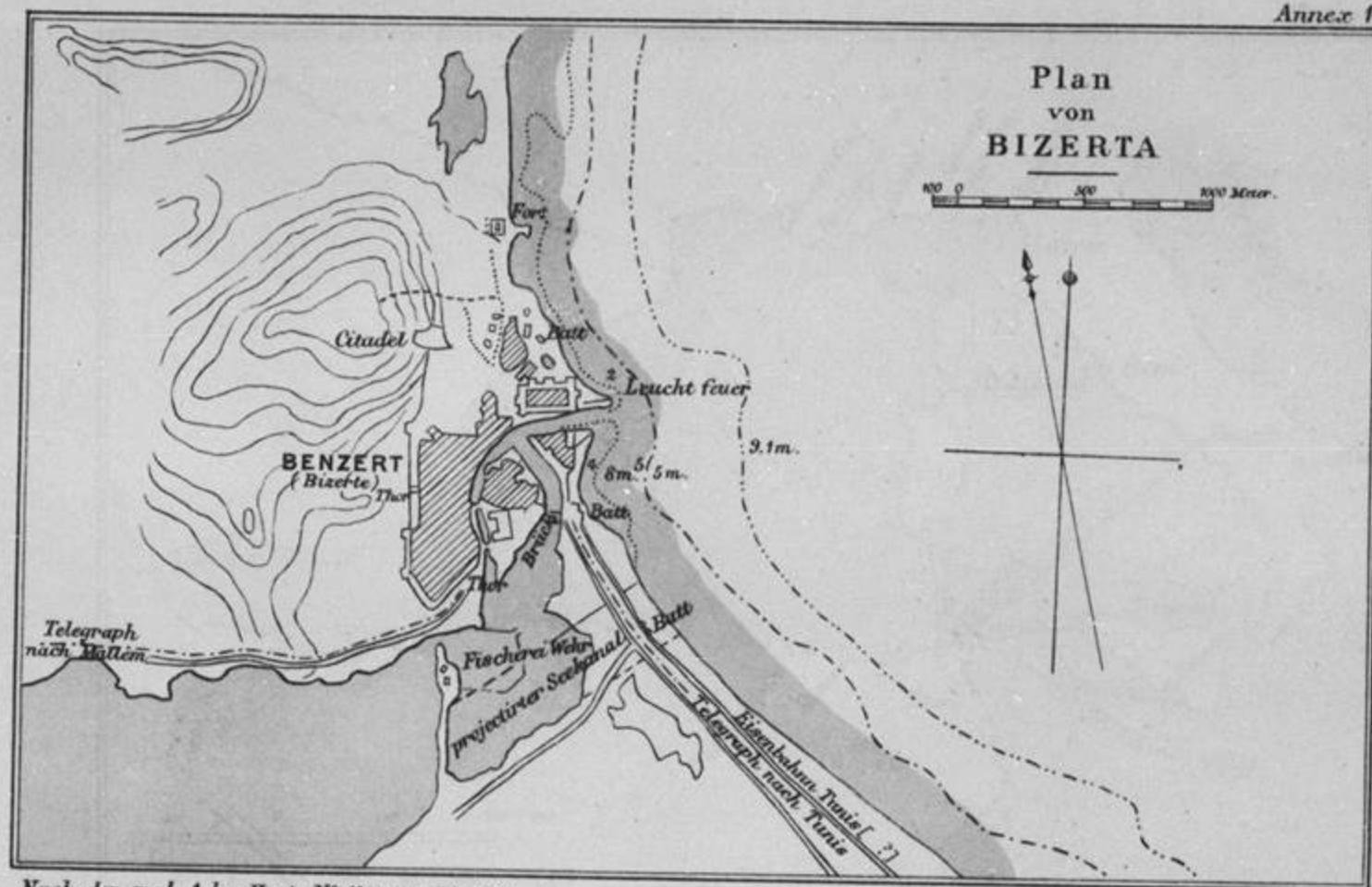
There is really not a single natural harbour on the coast of Algeria. It is true that artificial harbours have been constructed at the principal ports, but, apart from the fact that they often afford insufficient shelter to ships, they are in all cases so situated that it is possible to bombard the town, the arsenals, and the ships from the direction of the sea. The construction of a military port is therefore very difficult on the Algerian coast. At Bizerta there are no drawbacks of this kind. The wharves, docks, depôts, &c., could be constructed so far inland that a bombardment would be impossible if the enemy's ships were prevented from entering the harbour. This could easily be done by means of the proper permanent means of defence. It is true that the present fortifications of Bizerta are quite worthless, and apparently no steps have yet been taken to improve them either on the sea side or land side. There would, however, be no difficulty in constructing proper works, and the configuration of the coast would facilitate the defence of the harbour in a high degree, since the neighbouring high ground would make it possible to construct works to a considerable height, and the bend of the coast-line would make it easy to bring a concentric fire to bear upon the enemy. All these advantages of Bizerta, but especially the ease with which an excellent harbour could be constructed, have long been known and appreciated, both by the French and the English. The harbour could, however, only be used for military purposes if it were so arranged as to afford sufficient protection to ships within it, that is, if it were properly fortified.

III. *The Strategic Position of Bizerta.*

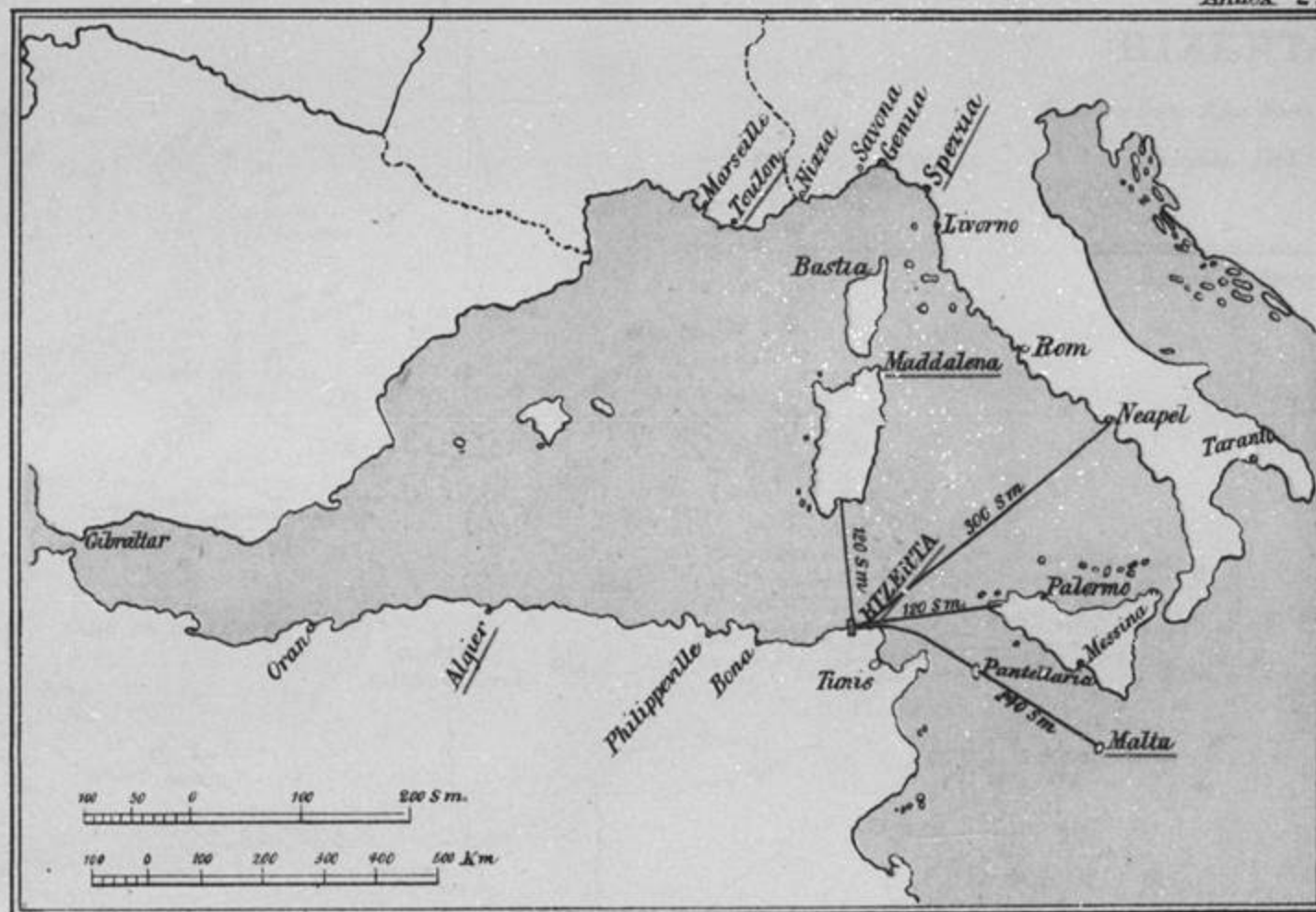
The prominent position of Bizerta on the most northern extreme of Africa gives it especial importance; Sicily and Sardinia can be reached from Bizerta in a swift vessel in eight hours, Naples in twenty, and Malta is not more than sixteen hours distant. At the same time, the town occupies a flank position with regard to ships cruising between Northern Africa and the Italian islands to the east or west. Hence Bizerta is strategically of the first importance.

If France were engaged in war on the Mediterranean, Bizerta, if it were converted into a military port, would undoubtedly play an important part; Italy especially would be seriously threatened. So long as Toulon is the only French military port on the Mediterranean, and so long as the Algerian ports situated to the east cannot be used as bases of operation, Italy will be tolerably well protected by Maddalena and Spezia against any offensive operations on the part of the French; the Italians are also in a position to attack the coast of Algeria from Maddalena, and to interfere with the communications between the Colony and the mother country. The situation would be entirely changed if Bizerta were made a military port and secure place of refuge. The coasts of the Tyrrhenian Sea, the islands, and Calabria would be threatened from Bizerta, and Italy has no suitable port to oppose to it, either in the south of Sardinia or the west of Sicily. Bizerta would be of the same importance to France as Maddalena is to Italy, a strong military port in the neighbourhood of the enemy's coast. At the same time, this port would afford a flank position for the defence of Algeria, and would be a place from which a sudden invasion of Italy at some point on the west coast could easily be undertaken, in view of the considerable numbers of troops at the disposal of France and the convenient railway system.

The position of England on the Mediterranean would also be affected to a considerable extent. The hitherto free passage between Cape Bon and Sicily could easily be controlled by the French from their new position, and, in the case of a war with England, the line of communication between Gibraltar and Malta and Suez would be seriously threatened. Even a small French squadron, too weak to oppose the British Mediterranean fleet, would be able to prevent British merchant-vessels from going to or from India through the Mediterranean, and a strong fleet could, from Bizerta, effectually prevent the junction of two British squadrons, or of a British and an Italian squadron. For her own operations in the East, France would gain a strong station hardly inferior to Taranto or Malta.



Nach der engl. Adm. Karte N° 1381 corr. bis 1877.



It appears, then, that the fortification of Bizerta and the construction of a military port there would greatly improve the position of France on the Mediterranean, and correspondingly damage Italy and England. If France fitted out a fleet at Bizerta, Italy would have to prepare for attack from the south as well as from the west, from Africa as well as from Toulon, and would therefore be forced to station a portion of her ships on the coast of Sicily and at Naples, and to place strong corps of observation on the coast of Southern and Central Italy. The troops and ships at her disposal for active operations would, under these circumstances, be very much fewer in number than if she had to fear an attack from one side only.

As regards England, the communications between her and India would be directly threatened, and she would have to increase her Mediterranean fleet to a considerable extent if it is to be strong enough both to act offensively and to watch Bizerta. At the present moment the co-operation of England and Italy would insure to the two allies the command of the sea, and would leave Italy free to concentrate all her forces on the French frontier, but if Bizerta were turned into a military port, it is doubtful whether Italy could effectually guard her coasts.

[Three Sketches annexed.]

No. 68.

Consul Ricketts to the Marquis of Salisbury.—(Received November 15.)

(No. 21.)

My Lord,

Tunis, November 9, 1888.

I HAVE just had an interview with M. Berio, who, under instructions from his Government, has informed the Resident this morning that the Italian Government cannot allow the Decrees lately published in reference to schools and Associations to be applied, either for the present or the future, to Italian subjects in Tunis. At the same time he requested the Resident to take act of this declaration. The Resident replied that he would send an answer on Sunday, but that he could not take act of this declaration. The matter in dispute remains, therefore, unsettled.

I have, &c.

(Signed) G. T. RICKETTS.

No. 69.

Mr. Egerton to the Marquis of Salisbury.—(Received November 15.)

(No. 561.)

My Lord,

Paris, November 14, 1888.

WITH reference to your Lordship's No. 509, Confidential, of the 5th, I took occasion to allude, in conversation with M. Goblet to-day, to the newspaper reports of French action against Figuig. His Excellency assured me that his Government had not the slightest intention of any military move in that direction. Certain Amours* had crossed over into Morocco to Figuig; the French Government had asked the Sultan to give orders that they should be sent back; the Sultan's attitude had been perfectly friendly, and there was no foundation whatever for any rumour of military action by France being imminent on the Morocco frontier.

I reminded him that two years ago M. de Freycinet had assured me that he had given particular instructions to the French Minister to keep as quiet as possible and avoid all frontier complications.

He said there was no change in the French attitude since then.

Alluding to the report in the paper of M. Féraud's serious illness, M. Goblet said he had received no official notice of it. He was a man of value, having local experience and influence.

I have, &c.

(Signed) EDWIN H. EGERTON.

* Inhabitants apparently of a district spelt "Aamoir" in French (Map inclosed in Lord Lyons' No. 105, March 1, 1887, and lying partly in Algeria and partly in Morocco, in or close to which is Thiout.—H. H.)

The Italian Minister at Tangier to Signor Crispi.—(Communicated to the Marquis of Salisbury by Count Catalani, November 15.)

(Translation.)

October 23, 1888.

THE Royal Legation now know for certain that the French Minister here has lately approached the Sultan with the object of inducing His Majesty to force the Algerian Amours who have taken refuge in the territory of Morocco to return to Algeria.

While the French Government have been complaining of the action of the Moorish authorities at Figuig, a deputation from that oasis has waited upon the Sultan to complain of the aggressive conduct of the French Agents, and has requested His Majesty to send troops to that part of the frontier, in order to be ready for any eventuality. The Sultan, however, having heard of the proposed journey of M. Féraud to Fez, dismissed the deputation and ordered them to return to Figuig without delay.

The French press, meanwhile, continues to urge the Government of the Republic to take steps for the ultimate occupation of Figuig. The "Écho d'Oran," and the "Nation" of Paris especially, have started a regular campaign against the territorial integrity of Morocco.

I inclose two articles lately published by these newspapers.

An additional circumstance has lately increased the fears of the Government of Morocco; it is said that the military authorities of Algeria propose to concentrate a large number of troops in the neighbourhood of Sefra in November next for the purpose of manœuvres.

(Signed) A. GIANATELLI GENTILE.

Inclosure 1 in No. 70.

Extract from the Algerian Newspaper "L'Écho d'Oran."

ALLONS à Figuig !

Une certaine agitation s'est manifestée en ces derniers temps dans le Sud Oranais.

"L'Écho d'Oran" a été le premier à le signaler, et le Gouvernement a été forcé de reconnaître qu'il y avait bien quelque chose dans l'air, en avouant que plusieurs tentes des Amours avaient abandonné notre territoire pour s'enfuir au Maroc.

Afin d'empêcher que cet exode ne prit des proportions plus étendues, on a été obligé de transférer auprès de Fren dah et de Tiaret le campement de cette tribu, à laquelle on pourrait bien donner le nom "d'Amours volages."

Sans doute, il n'y avait pas dans cet événement de quoi s'alarmer outre mesure, il n'y avait surtout pas de quoi conclure à une insurrection, si petite que ce fût, comme l'ont fait immédiatement, on dirait presque avec plaisir, certains organes Parisiens.

Mais, par contre, nous y voyons des symptômes d'un caractère grave, qui demandent à être médités sérieusement.

Il faut rechercher à quelles suggestions ont cédé les tentes qui se sont enfuies, et à quelles incitations aurait également obéi le restant de la tribu, si des promptes et énergiques mesures n'avaient été prises pour y mettre le holà.

On a dit, sans que cela ait été démenti, que cette semi-rébellion avait été provoquée par les agissements du nouveau Caïd de Figuig.

C'est un fait qui paraît facile à vérifier. Le Gouvernement n'est sans doute pas sans être parfaitement fixé sur ce point. Si la police du sud est bien faite, il a certainement en mains la preuve de cette immixtion déloyale, de cet acte de félonie.

Quelle doit être notre attitude en ce cas ?

Agir par voie diplomatique pour réclamer la destitution du Caïd coupable, et la réintégration des tribus fuyards ?

Ce serait demander au Gouvernement Chériffien une satisfaction qu'il lui serait quasi-impossible de nous accorder.

On nous bernerait et nous lanternerait pour arriver à rien. Des deux côtés de la frontière, on n'y verrait qu'un acte de faiblesse et d'impuissance de notre part.

Il faut faire nous-mêmes ce que nous commande notre intérêt, ce qu'exige notre sécurité présente, et surtout celle de l'avenir, celle du jour où toutes nos forces auront à être tournées d'un autre côté.

Il faut user du droit que nous donnent les Traités, d'assurer la tranquillité de nos frontières.

Il faut nous décider à aller à Figuig châtier ceux qui osent impudemment nous braver en portant le trouble au milieu de nos tribus, et, une fois là, il faut y rester.

Plusieurs fois déjà nous nous sommes occupés de la question de Figuig.

Nous avons préconisé l'idée de pousser jusqu'à cette oasis—entrepôt commercial d'une assez grande importance—de prolonger jusqu'à ce point notre ligne ferrée d'Aïn Sefra et de nous y rendre en amis, ne cherchant qu'à créer de bonnes relations, et à nouer des affaires.

Aujourd'hui l'attitude prise à notre égard par les gens de Figuig nous dicte une toute autre conduite.

Nous ne pouvons pas souffrir sans nous faire le plus grand tort, d'avoir à notre porte même un ennemi constamment occupé à nous nuire et se permettant toutes les audaces, convaincu qu'il est que nous n'oserons jamais franchir la frontière factice qui nous sépare de lui, et persuadé d'être ainsi impunément à l'abri de nos coups.

Il faut en finir, et, puisque notre modération est prise pour de la pusillanimité, il n'y a plus à hésiter : allons à Figuig !

C'est notre droit plein et entier, que nul ne peut nous contester, de mettre à la raison des gens qui, plus que jamais, nous narguent indignement ; tergiverser plus longtemps serait un acte que nous ne saurions comment qualifier.

Inclosure 2 in No. 70.

Extract from the Paris Newspaper "La Nation."

... ON a peine à comprendre que le Gouvernement de l'Algérie n'en ait pas fini depuis plusieurs années avec Figuig, ce repaire des mécontents qui viennent semer la révolte parmi les nomades du sud.

On prétend que le désir de ne pas soulever les susceptibilités du Maroc était la cause de l'inaction constatée ; il faut plutôt la voir dans l'intérêt qu'ont les militaires de ne pas détruire complètement les derniers foyers où naissent les insurrections qui ont toujours pour résultat des épaulettes et des galons distribués à ceux qui ont pris part à la répression des révoltes.

Peu leur importe la prospérité de la Colonie, qui souffre de ces troubles. Mais, si ces sentiments s'expliquent chez les généraux et les officiers qui ont la garde de l'Algérie, ils ne sauraient être ceux du Gouverneur Civil, qui a sur eux une haute autorité, ni surtout ceux du Gouvernement central.

Il faut en finir avec les insurrections périodiques du Sud Oranais, qu'on réprimerait sans difficulté en temps régulier, mais qui, si la France était engagée dans un conflit Européen, pourraient devenir un réel danger.

Le seul moyen pour arriver à ce but est l'occupation de l'oasis du Figuig.

No. 71.

Mr. J. G. Kennedy to the Marquis of Salisbury.—(Received November 15, 6.45 P.M.)

(No. 44. Most Secret.)

(Telegraphic.)

Rome, November 15, 1888, 3.25 P.M.

I HEAR confidentially from a sure source that the Spanish Minister for Foreign Affairs invited Signor Crispi to support a claim preferred by Spain to a district in Morocco, arising out of the Treaty of Tetuan.

Signor Crispi has not decided upon his answer. He fears if he should refuse his support that Spain will apply to France, and that latter may promise support on condition of reciprocity in similar circumstances.

This might be the beginning of an eventual partition of Morocco between France and Spain. Name of district in question is Santa Cruz la Pequeña.

No. 72.

Consul Ricketts to the Marquis of Salisbury.—(Received November 16.)

(No. 22.)

My Lord,

Tunis, November 9, 1888.

ANOTHER difficulty is, I think, likely to arise between the French Resident and the Italian Agent at this place.

This relates to the publication of a new Decree in reference to the establishment of a Court of Appeal at Tunis.

The French Resident desires the Italian Agent to give his assent to this Decree prior to its publication, but M. Berio says he cannot do this unless the Resident in the first place writes him officially on this subject. He considers this the proper step to be taken prior to any change being made in the existing state of affairs. The French Resident, on the other hand, appears disinclined to take this step, and is desirous that this matter should be arranged here without any reference being made to Rome in the first place. But this method of proceeding cannot well be adopted by the Italian Agent, inasmuch as in the Protocol it is expressly stated: "Le nouveau régime juridictionnel ne pourra être ultérieurement modifié qu'avec l'approbation expresse du Gouvernement du Roi."

I have, &c.
(Signed) G. T. RICKETTS.

No. 73.

Sir A. Paget to the Marquis of Salisbury.—(Received November 17.)

(No. 348. Confidential.)

My Lord,

Vienna, November 13, 1888.

IN an interview I had with Count Kálnoky yesterday, his Excellency mentioned to me confidentially, with reference to the controversy between the French and Italian Governments respecting the inspection of schools in Tunis, that he had suggested to Signor Crispi the desirability of treating this question in a conciliatory spirit, and he believed the same advice had been tendered also by the German Government.

His Excellency hoped that the advice had been attended to, and that the matter was now in a fair way of adjustment.

I have, &c.
(Signed) A. PAGET.

No. 74.

*The Marquis of Salisbury to Sir Clare Ford.**

(No. 157.)

Sir,

Foreign Office, November 17, 1888.

WITH reference to your Excellency's despatch No. 133 of the 16th ultimo, I transmit, for your information, the accompanying copy of a despatch from Her Majesty's Minister at Paris, reporting the substance of a conversation which he had had with the French Minister for Foreign Affairs in regard to rumoured French military movements in Morocco.†

I am, &c.
(Signed) SALISBURY.

No. 75.

The Marquis of Salisbury to M. Catalani.

M. le Chargé d'Affaires,

Foreign Office, November 17, 1888.

I HAVE the honour to acknowledge the receipt of your communication of the 5th instant, in which you request to be informed of the steps which Her Majesty's Government propose to take in consequence of the Decree of the President of the

* Also to Sir W. K. Green (No. 105).

† No. 69.

French Republic of the 17th July, 1888, withdrawing the jurisdiction of the French Courts over cases of real property in Tunis.

I have to acquaint you that by the Order in Council of the 31st December, 1883, British Consular jurisdiction was abolished "as regards such matters and cases as come within the jurisdiction of the French Tribunals." But those Tribunals, having, by the Decree just issued, been deprived of the jurisdiction previously exercised by them in real property cases, this country must, of course, revert to its Treaty rights until the French Courts are invested *de novo* with the jurisdiction in Tunis; otherwise, in such cases British subjects would be under the exclusive and absolute jurisdiction of the Native Tribunals, contrary to the provisions of the Treaties.

Her Majesty's Consul in Tunis has been instructed to inform the French Resident in that State accordingly.

I have, &c.
(Signed) SALISBURY.

No. 76.

Foreign Office to Consul Ricketts.

(No. 16.)

Sir,

Foreign Office, November 17, 1888.

THE Marquis of Salisbury has had under his consideration the Decree of the President of the French Republic of the 17th July, copy of which accompanied Acting Consul Carbonaro's despatch No. 16, Commercial, of the 3rd August, withdrawing the jurisdiction of the French Courts over cases of real property in Tunis. That jurisdiction was exercised by the Native Tribunals subject to the restrictions in the Treaties between this country and the Bey.

Under the stipulations of those Treaties the sentence of the Native Tribunal could only be carried out against a British subject by the British Consul, and in suits between two British subjects the parties had the right to remove the proceedings to the British Consular Court.

By the Order in Council of the 31st December, 1883, British Consular jurisdiction was abolished "as regards such matters and cases as come within the jurisdiction of the French Tribunals."

But those Tribunals having, by the Decree just issued, been deprived of jurisdiction in real property cases, this country must, of course, revert to its Treaty rights until the French Courts are invested *de novo* with the jurisdiction in question; otherwise, in such cases British subjects would be entirely at the mercy of the Native Tribunals.

I am directed by his Lordship to instruct you to inform the French Resident in Tunis accordingly.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 77.

Mr. J. G. Kennedy to the Marquis of Salisbury.—(Received November 19.)

(No. 288. Ext. 43.)

My Lord,

Rome, November 14, 1888.

WITH reference to your Lordship's telegram No. 44 of the 12th instant, I have the honour to report that a fortnight ago Signor Crispi believed that an understanding had been arrived at between the French Ambassador in Madrid and the Spanish Minister for Foreign Affairs for the eventual partition of Morocco.

His Excellency's information does not seem to be confirmed by subsequent reports from Spain and elsewhere.

I have, &c.
(Signed) J. G. KENNEDY.

Mr. J. G. Kennedy to the Marquis of Salisbury.—(Received November 19.)

(No. 289. Confidential.)

My Lord,

Rome, November 14, 1888.

WITH reference to your Lordship's telegraphic inquiry of the 12th instant and my telegram to your Lordship of to-day, relative to an alleged understanding between France and Spain respecting Morocco, I have the honour to report that the Austrian Ambassador at this Court recently read to me the contents of a despatch which he had addressed to his Government on the above subject.

According to Baron Bruck's Report, Signor Crispi informed him towards the end of last month that he was greatly disturbed by information received from Spain that an agreement was on the point of being concluded at Madrid between the French Ambassador and the Spanish Minister for Foreign Affairs, determining the partition of Morocco between France and Spain.

Baron Bruck, who had heard nothing of this alleged understanding, availed himself of opportunities to sound Count Rascon, the Spanish Ambassador to the Quirinal, and Count Torrielli, the Italian Ambassador at Madrid (now on leave) as to the truth of the rumoured increase of friendly relations between France and Spain, without, however, touching upon the subject of Morocco.

The two latter Representatives denied all knowledge of any change in the foreign policy of Spain, and this statement was confirmed by the copy of a despatch, received from Vienna by Baron Bruck, of the Austrian Ambassador at Madrid, reporting a statement voluntarily made to him by the Marquis Vega di Armijo, to the effect that no change in Spanish foreign policy would be effected by him, and that his policy would be a continuation of that of Signor Moret, which, indeed, he himself had prompted.

Baron Bruck told me that in reporting Signor Crispi's apprehensions of a secret understanding, he mentioned it as a mere rumour ("on dit"), for which he could find no foundation.

I have, &c.

(Signed) J. G. KENNEDY.

Mr. J. G. Kennedy to the Marquis of Salisbury.—(Received November 19.)

(No. 296. Most Secret. Ext. 44.)

My Lord,

Rome, November 15, 1888.

I AM confidentially informed on the best possible authority that the Spanish Government have asked Signor Crispi to give his support to a claim advanced by Spain to a certain district in Morocco. This claim arises out of the Treaty between Spain and Morocco signed at Tetuan in 1860.

Signor Crispi has not yet decided what reply to give to the Spanish proposal. He is afraid that, in the event of his refusing his support, the Spanish Government will turn to France, and that the latter country may promise its support, on the condition that Spain should reciprocate by supporting French claims in similar circumstances.

This might lead to an eventual partition of Morocco between the two Powers.

The name of the district to which the claim in question refers is Santa Cruz la Pequeña.

I have reported the above to your Lordship by telegraph.

I have, &c.

(Signed) J. G. KENNEDY.

Consul Ricketts to the Marquis of Salisbury.—(Received November 20.)

(No. 23. Confidential.)

My Lord,

Tunis, November 12, 1888.

I HAVE the honour to transmit herewith inclosed to your Lordship two documents of a Socialistic nature published at Tunis on the 11th November.

A number of these were circulated yesterday in the town, the authors of this work having been a Neapolitan doctor and two or three others.

They have all been arrested. It is somewhat extraordinary that such a publication should have been circulated at the present moment by these people, as they have been residing here for the last two or three years, and were already denounced to the police by the late Italian Consul-General, M. Malmusi.

The language of these enthusiasts is, I need hardly say, not likely to have any effect on the inhabitants of this country, inasmuch as the Italian element is peaceful enough, and the Arab is too lazy to trouble himself about such matters.

Whether this is the work of the Italians themselves, or whether, being needy, they have lent themselves to carry out the designs of others, it is difficult to say. It might be that they thought this the proper course to be taken by them to resent the virulent attack made on the Italian workmen by a certain Eugène Pongiglione in the "Tunis-Journal," the organ of the French authorities, on the 7th November, an extract of which is herewith inclosed. E. Pongiglione is a native of Corsica, a French subject, and was at one time a schoolmaster employed in a Tunisian Government school.

Political capital will, however, probably be made out of this manifesto by those whose sole object is the annexation of this country.

I have, &c.

(Signed) G. T. RICKETTS.

Inclosure in No. 80.

Manifests by Socialists in Tunis.

(Translation.)

International Association of Labourers.

To Labourers; to all the Oppressed. Companions!

THE 11th December is an unhappy day for the labourers of the whole world. It is a year ago that the Republic ordered the execution at Chicago of four of our most active propagandists, only guilty of wishing the complete emancipation of labourers.

It is not to shed tears on the tombs of these martyrs that we this day address you. We may tremble with rage, but weep, never!

If that death is painful to us, and such it must be to the partisans of justice, our duty is other than tears.

Those hanged men call to us for vengeance, not for themselves, but for the great idea for which, intrepid and smiling, they met death.

They sacrificed themselves for us, for all those who work, who suffer, being convinced that their blood would hasten the emancipation of the labourers of the whole world from economical, political, and moral tyranny.

Are we to leave them unavenged? Are we to be so ungrateful towards those who sacrificed their lives for our emancipation?

Labourers! companions!

Listen to our words which come from our hearts, the words of those that work and live with hardship like you.

We have suffered, suffered immensely; shall we continue to suffer, remaining indifferent to questions regarding our emancipation, or running after phantoms invented by our masters, and which lead us far from our aim? Shall we continue to kiss the hand that strikes us?

Listen: between us and our masters there is an abyss. We work hard for our living, and they, the capitalists, with the fruit of our work, burst with indigestion and idleness.

But if the master robs us the State guarantees him the theft, and the Church, making use of a chimerical paradise, condemns us to the hell of this world. The luxury of our masters becomes daily more attracting, but our misery becomes also more sad. Governments augment their strength, but our evils become hundredfold. And we, in the meantime, listen to the political mountebanks, passing from one delusion to another. But till when, oh, co-labourers, are we not to understand that politics can do nothing for us? because the Government, being the emanation of economical State, cannot be but the protection of citizens and rich people, which shot us in June 1848, in the bloody week in '71! And what would the Government be if there were no poor and rich, if all were

labourers? But that people may open their eyes, that those who preach peaceful solution of the social question may be exposed, the Government of the Republic of the United States has thrown before us four dead bodies! Oh! you want bread and liberty, you do not want oppressions of Government and capital any longer; well, wait, here is liberty, here is food!

And four of our most intelligent friends, the most active members of the great International Association, have been hanged.

Labourers! companions!

Tooth for tooth, eye for eye!

It is a question of life or death.

The fruit of our labour is stolen from us, our sentiments are condemned; and if we claim peacefully a less barbarous treatment, if we dare say the truth, a gaol or death is waiting for us. And against us are all the politicians, the Government, the citizens, the priests of the various religions. Then we are opposed to the State for liberty, to the citizens for Anarchy and Socialism; against the Church for science.

Labourers, our companions!

To-morrow we may be called for a violent struggle. Let each of us, for the benefit of humanity, do his duty. Let not a stone remain on a stone of citizenship.

No more Government, but free association of labourers;

No more property, but community of property;

No more marriage, but free love;

No more church or synagogue, but science;

No more native country, but human solidarity.

But let us not be deceived by the political syrens. He who dares assume the tone of command or superiority shall be our enemy.

Let us form our sovereignty ourselves, without intrusting the work to anybody. It is the only way to become free.

Let us set fire to the banks, to notarial archives, to register offices. Let us break the limits and marks of property. Let us be inexorable, or we shall be overpowered. Let us shut for a time our hearts to pity, that we may not repent to have had a moment of compassion.

Labourers! companions!

The future is ours; let us deserve it. We form the number, the strength; we have the right, let us use it.

Let us raise at last our heads, and let the new year be the year of vengeance for all the exhausted, for all labourers.

Down with the citizen!

Down with the State!

Hurrah for Socialism!

Hurrah for Anarchy!

Hurrah for the Social Revolution!

Tunis, November 11, 1888.

Labourers!

(Translation.)

Companions!

So far as human beings were informed, the 11th November passed unnoticed, because no act recorded the date; but it is not so at present that the Citizen-American-Republic has baptized with blood its power and strength, extinguishing in this same day five of the finest figures of the Anarchic Communism.

The rising youth, smelling the breath of the new days, stand up like giants before the Republican Executioner, and while telling him, blind, hired assassin of a stupid citizenship, calls for vengeance, and challenge him in the name of science and reason.

This is the day in which five of our companions of Chicago fell as brave and Anarchic men.

Let our painful memorial arrive into the tomb of the hanged rebels, and the echo of a people who ask for Justice and Liberty reach the throne of the timorous Potentate, and announce to him his early fall.

Labourers!

The hands of the hired assassin remained for some days dirty with the blood of the courageous revolutionists; the country, highly impressed by the infamous intrigues of astute mercenaries, displayed all its sympathy in favour of the hanged men; and in all the parts of the civilized world, as soon as the news reached them, clubs were instituted in the name of those who fell for the triumph of the ideas of Communism and Anarchy; and many among the Republicans abandoned their files and joined us, in order to wage ravenous war to all sorts of organizations of citizens which claim the Law, the Police, and the Executioner.

Salutations to all the Revolutionists of the world, war to the Popes, to Emperors and Kings.

Hurrah to Anarchic Socialism!

Hurrah to Revolution!

(For the Circle Michele Bakounine),
The Committee.

Tunis, November 11, 1888.

No. 81.

Sir W. K. Green to the Marquis of Salisbury.—(Received November 21.)

(No. 11. Africa.)

Tangier, November 11, 1888.

My Lord,

I HAVE the honour to transmit herewith, for your Lordship's information, a translation of the note which I yesterday addressed to Cid Emfadh Gharneet, bringing forward, in accordance with your Lordship's instructions of the 8th instant, the several claims which have arisen out of the outrage committed on the 25th March last on the English factory at Cape Juby, and which your Lordship considers should be satisfied by the Maroquine Government.

Your Lordship will observe that in my note I have fixed the sum which would be due to the North-west African Company for injury inflicted on it by the permanent loss of its trade through the proceedings which culminated in the outrage of the 25th March at 50,000*l.*, but that I have been careful not to state that the sum has been named by your Lordship.

I have been guided in fixing the amount at 50,000*l.* by the knowledge that the North-west African Company would have probably accepted that sum for their entire withdrawal from Cape Juby when Mr. A. Fergusson was, on behalf of the Company, at the Moorish Court at the same time as myself in the spring of 1887, and when, unfortunately, the Sultan declined peremptorily to permit a discussion with his Ministers for a settlement of the Cape Juby question.

I have ventured to supplement my first note with one under the same date in a private and confidential form, by which means I trust that not only strength will be given to the first, but also a stop be put to any desire to enter upon useless discussions or to solicit intervention in undesirable quarters. I have the honour to furnish herewith a translation of this second note.

Should your Lordship consider that I have estimated the possible permanent losses of the North-west African Company too highly, I feel that I could easily make myself an opportunity for reducing that amount without in the least affecting the value of my present representations to the Moorish Minister.

I have, &c.

(Signed)

W. KIRBY GREEN.

Inclosure 1 in No. 81.

Sir W. K. Green to Cid Emfadh Gharneet.

(Translation.)

(After compliments.)

Tangier, November 10, 1888.

I HAVE already had the honour of addressing to your Excellency several notes with reference to the outrage committed last spring by some soldiers of the Sultan's regular army on the Englishmen employed in the North-west African Company's factory at Cape Juby, and to the arrest of the chief perpetrators of the outrage.

The replies received from your Excellency on this matter having been communi-

cated by me to the Marquis of Salisbury, I have now been directed by Her Majesty's Government to impress most strongly upon the Shereefian Government the necessity for the prompt punishment of the murderers of Mr. Morris, and the assailants of the other Englishmen who happily effected their escape, though two of them were severely wounded.

I am furthermore ordered to demand of the Sultan's Government due compensation for Mrs. Morris for the loss of her husband, and for the other Englishmen for the injuries inflicted on them. The Marquis of Salisbury, in order to mark the desire of Her Majesty's Government to extend to the Shereefian Government every equitable treatment, has authorized me to state that the amounts of compensation to be paid to the sufferers may be fixed, on the principles of arbitration, by some person whose impartiality shall be beyond doubt.

For the permanent injury done to the business of the North-west African Company by the proceedings of the Moorish soldiers, which culminated in the outrage of the 25th March last, I must call upon the Shereefian Government to pay the sum of 50,000*l.* But should the Sultan be disposed to discontinue the opposition which led up to the regrettable outrage, and publish the cessation of such opposition to the free trading of the Company at Cape Juby and the surrounding country, I would then feel myself authorized to endeavour to induce the Company to forego all claims for compensation for permanent injury to its business, except for actual loss of goods and buildings.

I have to urge your Excellency, in the most serious manner possible, to submit the foregoing demands to the Sultan's attention, for it must be borne in mind that the call for reparation has not been hastily made, and that the sincerest desire has existed throughout to bear lightly on a Government which it is acknowledged has many difficulties to contend with, and has been a valued ally of Great Britain for a great length of time.

Your Excellency should point out to His Shereefian Majesty, however, that Her Majesty's Government are bound to, at all costs, watch over the safety of the lives and property of British subjects, even in the remotest parts of the world, and that it is quite beyond their power, on any pretext whatever, to refuse needed protection. An impartial and prompt consideration and solution of this question will tend to strengthen and tighten the bonds which unite the British and Moorish Governments.

As I have already placed your Excellency in possession of the names of the principal perpetrators of the Cape Juby outrage I will not repeat them here, though I have not yet had the honour of learning from your Excellency that the persons indicated have been already arrested.

Peace.

(Signed) W. KIRBY GREEN.

Inclosure 2 in No. 81.

Sir W. K. Green to Cid Emfadi Gharnet.

(Confidential.)

(Translation.)

(After compliments.)

Tangier, November 10, 1888.

THE note which your Excellency will receive by the present courier will sufficiently convey to you the serious outcome of the lamentable occurrences at Cape Juby. In that note it is the British Minister speaking, backed with all the authority of his Government. In this letter I, as a friend, offer you advice and information so that the Shereefian Government may fully understand the purport of the official note, whereby the loss of precious time by useless discussions and fruitless appeals may be avoided.

Your Excellency can point out to the Sultan that the time has passed for reverting to a contention as to His Shereefian Majesty's sovereignty over Cape Juby. The persistence in that contention has only ended in the murder of Mr. Morris, the assault on his companions, and the pecuniary loss to the North-west African Company, for all of which so heavy a price in the shape of compensation is now being called for.

Had your Excellency listened to me when I was up at the Court in the city of Morocco all this would have been avoided; but other counsels then prevailed with the aforesaid result.

With regard to the matter of fixing the amounts of compensation due to the

victims of the outrage, it is perhaps well that I should explain to you that the impartial person who may be called upon to state the sums which should be awarded could not be found among the foreign Representatives at Tangier. Such Representatives having affairs of their own with the Shereefian Government would not be able to bring into consideration of our affairs an unbiassed mind. They unconsciously would be disposed to lean on one side or on the other, and, therefore, the impartial friend must be sought for in other quarters, though I am inclined to think that the intervention of such friend need hardly be necessary, for the Sultan's well-known sense of justice and the determination of Her Majesty's Government only to require what would be right should be sufficient to enable us unassisted to come to a speedy understanding on the subject.

The knowledge that the Sultan does not persist in seeking what is unattainable also fills me with great hope that His Majesty will, rather than continue to oppose the trading operations of the North-west African Company at Cape Juby and the neighbouring districts, whereby so much loss has fallen on the Company, consent to make it public that the Company is once again free to conduct its trade, as was the case when the factory was first established. In such event the Sultan may count, in advance, on my best endeavours to bring about an understanding between His Shereefian Majesty's Government and the Company. The latter is composed of merchants holding most honourable positions in England, and I feel confident they will do all in their power to facilitate an arrangement that may in a definitive manner remove all feeling of irritation on both sides in this question.

I therefore look to your Excellency to co-operate with me in bringing about so desirable an end, and in giving a noteworthy proof to our respective superiors as to how true and firm is the friendship which was established by our forefathers between the two nations. Peace!

(Signed) W. KIRBY GREEN.

P.S.—I would also venture to recall to your Excellency's mind that no reply has been vouchsafed to my notes calling upon the Shereefian Government to effect the arrest of the two chief perpetrators of the Cape Juby outrage, Kaid Abderrahman-bel-Fekkuk and the Askari Gilali. You must be aware, I am sure, that no desire exists to pursue innocent persons, and that should doubts arise in the Sultan's mind as to the guilt of the accused, the Englishmen who escaped death when Mr. Morris was murdered would be ready to confront and to declare whether the men mentioned above were really the perpetrators of the murder.

W. K. G.

No. 82.

Señor del Mazo to the Marquis of Salisbury.—(Received November 21.)

(Translation.)

My Lord,

Spanish Embassy, London, November 19, 1888.

I HAVE received the instructions of my Government to call your Excellency's kind attention to an incident that has arisen during the last few months at Tangier between the British Consul, Mr. White, and the Spanish Consul, Señor Lozano, respecting an article insulting and libelling the latter, which was published on the 12th August last in a local paper called "*La Africana*," edited by Mr. E. Hanglin, a British subject.

Mr. Hanglin having admitted before the Spanish Consul that he was the author of the article, which says that Señor Lozano is not honest and upright in the discharge of the functions of Judge at Tangier, our Consul wrote to Mr. White and asked him to take the proper steps in consequence of the insult and libel which had been published by means of the press; the offence was all the more serious, as there is no press law in Morocco, and as the press cannot be said to have any legal existence there, in view of the sovereign wish of the Sultan, to which Spain conformed on the 28th July, 1886, by prohibiting Spaniards from publishing newspapers in the territory of Morocco; to these circumstances must be added the fact of "*La Africana*" not being a very respectable paper, as it continually attacks the foreign families residing at Tangier; and, finally, there must be added due consideration for the respect and prestige which ought to be allowed to the European officials who are intrusted with

the important mission of administering justice in the midst of such a population as that of Morocco.

Although Her Britannic Majesty's Consul deplored the fact that a subject of his nation should thus have insulted and libelled the Spanish Consul, he informed the latter, in the course of the correspondence which took place between them, that the English laws in force on the subject of insult and libel did not permit him to inflict any punishment on Mr. Hanglin unless he were found guilty by the British Consular Court, and that for him to be so found guilty it would be necessary for some person to appear and accuse him in proper form.

Señor Lozano called Mr. White's attention to the fact that this last requirement had in substance been fulfilled, and that the necessary person was represented by the authority of the Spanish Consul at Tangier, who had made the accusation by writing,* the fact of the offence having been committed being obviously established, as it consisted in the article published of the 12th August; Mr. Hanglin's guilt was equally established, as he admitted writing the article.

Señor Lozano informed his colleague that the obligation of submitting to the same routine of procedure which would be necessary in the case of a private person, and the requirement of personal appearance before the British Court of one who was Spanish Judge and Consul at Tangier, appeared to him to be incompatible (and especially so in view of the circumstances noted above) with the honour and prestige which must be allowed to those who exercise European jurisdiction in Morocco.

But as Mr. White, notwithstanding his good intentions, which our Consul is the first to recognize, did not consider that he had power to accede to the latter's request, and Her Britannic Majesty's Minister Plenipotentiary at Tangier having informed Señor Diosdado, the Diplomatic Representative of Spain, that he agreed with Mr. White's opinion and approved his action, the Minister of State of Her Majesty the Queen Regent having examined the question has instructed me, as I had the honour to state to your Excellency at the beginning of my note, to call attention to the matter, and to ask that it may be settled in a manner consonant with the exigencies of the present social and political condition of Morocco.

The situation in Morocco is, indeed, most delicate, and such as to make it necessary, as your Excellency will readily understand, to avoid anything which might lessen the prestige of the European Diplomatic and Consular Representatives who are charged with administering justice, and to avoid any incident involving questions of jurisdiction, which are necessarily connected with the system of protection, with the anomalous position in which the European communities are placed by the system of extraterritoriality, and, consequently, with the political *status quo* of the Empire, which must be preserved, even though the Powers have for that purpose to have recourse to exceptional measures.

It was in order to aid the preservation of the *status quo*, and in consideration of the close connection which the existence of the political press and the incidents to which it gives rise may have with the *status quo*, that the Government of Her Majesty the Queen Regent acceded to the wishes of the Sultan in this matter, and it is to be wished that all the Powers would agree to the adoption of rules which might serve as a [common] law on this point.

In regard to the particular case of the article in "La Africana," in which the evidence of the insult and libel are to be found in the published words denying the honesty and uprightness of Señor Lozano as Spanish Judge, and in which Mr. Hanglin openly admits himself to be the author of the words in question, I venture to suggest to your Excellency that it would be proper that the case should be set right by the action of the Government, in consideration of the request made in writing to Mr. White by Señor Lozano, and that the latter should be exempted from judicial formalities and from the necessity of making appearances in Court, which, though quite proper in any ordinary state of society, may, if enforced in Tangier in the case of the Spanish judicial authority, lead to political consequences, and be interpreted in a manner [the dangers of] which will not escape your Excellency's clear-sightedness.

In the assurance that your Excellency will entertain this request in the friendly spirit befitting the cordial relations existing between the two Governments and the identity of views with regard to the *status quo* which guides their policy, I avail, &c.

(Signed) C. DEL MAZO.

* "De oficio" said of such actions as by Spanish law are brought without citation of persons.—H. F.

No. 83.

Mr. J. G. Kennedy to the Marquis of Salisbury.—(Received November 21, 4 P.M.)

(No. 45. Secret and Confidential.)
(Telegraphic.)

Rome, November 21, 1888, 12:20 P.M.

MY telegram No. 44.

The Italian Minister for Foreign Affairs has instructed the Italian Minister at Madrid, now on his way back there, to urge Spanish Minister for Foreign Affairs not to press his claim for cession of territory in Morocco at present; adding that he cannot promise Italian support to Spain because he would thereby expose himself to similar demands from other Powers.

No. 84.

The Law Officers of the Crown to the Marquis of Salisbury.—(Received November 22.)

My Lord,

Royal Courts of Justice, November 21, 1888.

WE were honoured with your Lordship's commands signified in Sir Julian Pauncefote's letter of the 27th ultimo, stating that he was directed by your Lordship to transmit to us the papers marked in the margin,* with reference to a Decree of the Bey of Tunis promulgated on the 15th September last, and purporting to place all public and private schools within the Regency under the inspection of French officials, and to make the use of the French language compulsory in such schools.

That the Italian Government held (see the late Count Robilant's note of the 24th September, 1888) that that Decree was not applicable to Italian subjects resident in the Regency, and that the grounds upon which they based their contention would be found concisely stated in that note.

That your Lordship was disposed to think that the Italian contention was correct, and that Her Majesty's Government was entitled to claim for British subjects resident in the Regency of Tunis a like immunity from the operation of that Decree.

That a Memorandum had been prepared showing the grounds on which, as was conceived, the Decree was, in so far as it purported to affect British subjects, beyond the powers of the Bey, and incapable of enforcement by the French Tribunals (see Sir J. Pauncefote's Memorandum of the 6th October, 1888).

That the French text of the Decree itself would be found, extracted from the "Journal Officiel Tunisien," of the 20th September last, at p. 4 of the inclosed Confidential Print.

That Sir Julian Pauncefote was also, with reference to the binding effect upon France, under the Franco-Tunisian Treaty of the 12th May, 1881, of the existing Treaty obligations of the Bey, to refer to a Report which was furnished on the 28th April, 1886, to the then Secretary of State by our predecessors in office (Law Officers' Report, No. 26, of 1886).

That Sir Julian Pauncefote was to request that we would take the papers transmitted with his letter into our consideration, and that we would favour your Lordship with our opinion as to whether Her Majesty's Government were entitled to contend that the Beylical Decree in question was inapplicable to British subjects; and that, should we be of that opinion, your Lordship would further be glad to be informed whether the views put forward in Sir Julian Pauncefote's Memorandum of the 6th October had our general concurrence as a statement of the grounds upon which the contention of Her Majesty's Government might properly be based.

We were also honoured with a Memorandum from Sir Julian Pauncefote, dated the 7th instant, stating that he was directed by your Lordship to transmit, for our consideration, a copy of a further despatch (and inclosures) from Her Majesty's Consul at Tunis.

We have taken the papers into our consideration, and, in obedience to your Lordship's commands, have the honour to report—

That, in our opinion, Her Majesty's Government are entitled to contend that the

* Confidential Print, North Africa, No. 458; Memorandum by Sir J. Pauncefote, October 6, 1888; Law Officers, April 28, 1886; Protocol (Italy and Tunis), January 25, 1884; Treaty (Italy and Tunis), September 8, 1868; Order in Council, December 31, 1883; Franco-Tunisian Treaty, "Parliamentary Print, Tunis, No. 6 (1888)"; Correspondence re establishment of French Tribunals (Confidential Print).

Decree of the Bey of Tunis of the 15th September is inapplicable to British subjects, and that we concur in Sir Julian Pauncefote's Memorandum as a statement of the grounds upon which the contention of Her Majesty's Government may properly be based.

We think, however, it might be well to omit the last sentence, as we doubt whether it is stated with sufficient precision or detail.

We have, &c.
(Signed) RICHARD E. WEBSTER.
EDWARD CLARKE.

No. 85.

Consul Ricketts to the Marquis of Salisbury.—(Received November 23.)

(No. 24. Confidential.)

My Lord,

Tunis, November 12, 1888.

I HAVE the honour to transmit herewith, inclosed to your Lordship, a Report on the state of this Regency.

I have, &c.
(Signed) W. RICKETTS.

Inclosure in No. 85.

Memorandum on the State of the Regency of Tunis.

Population.

(Confidential.)

THE population in this Regency is given at various figures, varying from 1,000,000 to 2,000,000. Owing, however, to the sparseness of the inhabitants in the interior, it is supposed that their number does not exceed 1,200,000. In the towns the inhabitants are given to various industries, among which are those of fabrics in silk, woollen, and cotton; in the villages their time is passed chiefly in agriculture. Included in the above are also numerous tribes of Bedouins, some settled and paying tax to their Sheikhs, others unsettled and independent.

Near Susa, Sfax, and Feriana these Bedouins are more or less settled, but south of Sfax from Gabes to the frontier of Tripoli there are many who are altogether independent and who inhabit one spot only so long as they find water and supplies suitable to their wants. These latter are of a warlike nature, their numbers being, it is said, not far short of 200,000. They are said also to be able to bring into the field some 20,000 to 25,000 men, but if their numbers approach the figure above mentioned they ought, one would suppose, to be able to muster a force of at least 40,000. Herewith inclosed is an approximative statement of the names and number of the chief tribes of this territory.

Climate.

From the month of October to the end of March the temperature of this country is moderate, varying from 50° to 60° of Fahrenheit. In May summer commences, June, July, August, and September marking the hot period; in the last three months the thermometer varies from 80° to 100°, this excessive heat being caused through the small rainfall and the hot winds prevailing. The rainfall averages but 28 inches per annum, so that it is astonishing how any crops can be produced.

Commerce.

From the Table herewith annexed (No. 2) it will be observed that the exports of the whole of this country ranged between the years 1882 and 1887 inclusively from 29,822,160 to 35,919,480 piastres, and during the same time that the imports varied from 43,921,880 to 48,345,240 piastres; the exports during the year 1874 are given at 44,732,000 piastres and the imports at 40,560,000 piastres. Comparing these results, it would seem that the exports have fallen off, and the imports increased; as

however, a certain portion of the production in the districts on the other side of Beja now pass via the Algiers railway to Bona, and are there exported for Marseilles, their total value will be somewhat greater, but this would not probably much exceed the sum mentioned as the exportation for 1874; we may therefore assume that the trade of this country is in a more or less stationary state; the total combined trade of this country is also only about 2,000,000l., a very small amount for so large a tract of country. This trade, such as it is, is divided pretty evenly between England, Germany, France, and Italy, each of them sharing in it more or less equally.

Productions.

These consist principally of olive oil, wool, esparto fibre, sponge, and cereals.

Grain is produced in most parts of the Regency, but Sfax, Bizerta, and Beja are looked upon as the districts the most suitable to its cultivation. There are no statistics giving the quantity produced, though some idea may be formed of this from the exportation, a Table of which is herewith annexed; a reference to this will show that the yield varies considerably, in some years being little or nothing, and in others being as much as 162,000 quarters of wheat and 213,000 quarters of barley.

In a country where the average of the rainfall is only 28 inches per annum, where seven fruitful years are followed by several barren ones, where there is no means of irrigation through wells, the water near the surface being brackish, where the inhabitants are lazy and improvident, little can be expected as regards the development of agriculture.

Much was at first expected from the cultivation of the vine, but the vine crops suffering from the hot winds which prevail in July, August, and September, it is very doubtful whether or not the manufacture of wine will be attended with profit, and if this does not succeed, there is little left for the colonist to gain a livelihood. I mention these things to show that the power of exportation in this country is, after all, but limited. So it is with the importation. The Arab, generally speaking, wears garments made at home, and having no wants and caring little about luxuries, is not likely to form a large consumer in foreign markets; this is evident from the quantities of cotton goods which are imported, and the value of which, in 1887, was only 213,700l., this being, moreover, a fair average.

Revenue.

The sums derived from Revenue were as follows:—

							Piastres.
In 1884-85	..	..	..	..	..	..	33,000,000
1885-86	..	..	..	..	..	..	35,466,000
1886-87	..	..	..	..	..	..	34,127,000

giving an average on the last three years of 34,197,666 piastres, or 854,944l.

The principal sources from which this was collected were—

1. The poll tax, which, though reckoned at 17,000,000 piastres, yields but 7,000,000 piastres, or 175,000l.
2. Export and import dues, 3,816,000 piastres, or 97,150l.; and
3. Monopolies of salt, tobacco, and other things, on an average to 6,958,000 piastres, or 173,950l.

This is sufficient to defray at present the expenditure incurred on the debt at 4 per cent. of 5,700,000l., the Post, General Administration, Public Works, and one battalion of native troops, the expense of the Army of Occupation, say, 15,000,000 piastres, being defrayed by the French Government; thus, if this latter sum were charged against the Tunisian Revenue, there would be a constant deficit.

The poll tax and monopolies fall heavily on the people, and hence it would by no means become an easy matter to augment the ratio of these taxes, the chief sources of the Revenue; nor would it be wise to increase the rate of importation dues, the consumer being poor and unable to pay much for the necessities of life.

From a commercial, social, and financial point of view, therefore, one cannot see that the occupation of this country is likely to be productive of much advantage to France.

We will now endeavour to review shortly the advantages and disadvantages likely to accrue to France from the occupation of this country in a military point of view.

Firstly, then, of the measures taken as regards maintaining the internal tranquillity of the Regency.

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Communications.

A railway has been opened from Ghiardimona to Tunis = 190 kilom.; a line of railway has also been constructed from Souk Ahras, in Algiers, to Tebessa, near the Tunis frontier.

Another line is to run from Ain Beida, in Algiers, to Tebessa = 95 kilom.; thus troops will be able to be brought from Constantine and Bona, in Algiers, to Tebessa.

It is also intended to extend this line in the direction of Gafsa and Gabes.

The country between Tunis and Susa, 130 kilom., is now under survey, a station-master having lately been sent to the latter place. The tramway from Susa to Khairwan, 60 kilom., is now handed over to the Bona-Guelma Company, who were the other day ordered to complete with as little delay as possible the material necessary for the mule carriage between Susa and Ouad Lia, a distance of 13 kilom., and where the inclines are too heavy for locomotives. In the course of time the communication between Tunis and Khairwan will be extended from the latter place to Sfax, 122 kilom., and from Sfax to Gabes, 145 kilom.; thus there will be two lines of operation opened by railway running in the direction of the Tripoli frontier: one, Tunis-Gabes, about 348 kilom.; the other, Tebessa-Gabes, 295 kilom.; the distance from Gabes via Kesser-Medina to Djemila, on the Turkish frontier, 170 kilom., more or less.

Roads.

In the vicinity of Susa the villagers have been employed for some time past in repairing the roads; these have also been Macadamized in many places, but more especially for some few miles in the vicinity of the chief towns, such as Tunis, Sfax, Gabes, Bizerta, and Susa. There is, however, no great necessity for this kind of work in this country, as camels and carts can, I am told, without much difficulty, owing to the dryness of the climate, travel on the beaten tracks, especially in the south, in almost any direction.

It will therefore be noticed, owing to the limited extent of this territory, that in a very short period of time railway communication may be made to take the place of the present system of travelling, and that troops will be able to be dispatched from the north to the south in the course of a few hours.

Garrisons.

These are stationed as under:—

Head-quarters	..	..	..	Tunis.
Out-quarters	..	..	..	Goletta, Zaghuan, Manuba, Bizerta, Beja, Testur, Ain Drahani, Souk-el-Arba.
At Tunis ..	..	..	..	3 battalions 4 regiments Zouaves.
Zaghuan	..	..	..	1/2 battalion Zouaves.
Goletta	..	..	..	"
Tobija, near Tunis	..	..	..	2 squadrons 4th Chasseurs d'Afrique.
				1 battery, field.
				1 company Engineers.
				1 company Train.
				Remount horses, 200.
Bizerta	..	..	..	1 company artillery, fortress.
Manuba	..	..	..	2 squadrons 4th Chasseurs.
				1 battery, field.
Souk-el-Arba	..	..	..	1 company Train.
				1 company gendarmes.
Head-quarters	..	..	..	Susa.
Out-quarters	..	..	..	Kairwan, Monastir, Hajib-el-Aun.
At Susa are	..	..	..	1,050 men 4th Regiment Tirailleurs.
Kairwan	..	..	..	450 "
Monastir	..	..	..	150 "
Hajib-el-Aun	..	..	..	150 "
				1,800 men.
Head-quarters	..	..	..	Sfax.
Out-quarters	..	..	..	Gafsa, Feriana, Hafei, Tozer, El-Kef, Souk-el-Djeina.
At Sfax ..	..	..	..	600 tirailleurs and 2 guns.
Gafsa	..	..	..	250 " and 150 cavalry.
Tozer	..	..	..	Bureau des Renseignements.
Kef	..	..	..	150 cavalry.
Souk-el-Djeina	..	..	..	150 "
Total: 850 Tirailleurs, 300 Cavalry, 2 guns.				

Head-quarters	..	..	..	Gabes.
At Gabes	..	..	..	220 Chasseurs à Pied.
				120 Tirailleurs.
				80 Sipahis.
				1 battery, field.
				6 guns, fortress.
				1 company train.
Out-quarters—				
At Metrere	..	..	..	100 Tirailleurs.
Gasur Mettamai	..	..	..	100 Chasseurs à Pied.
				120 Tirailleurs.
				30 Sipahis.
Ras-el-Ouad	..	..	..	850 Chasseurs.
Zarghiz	..	..	..	120 Tirailleurs.
				30 Sipahis.
Tatahouin	..	..	..	125 Chasseurs.
Also at Donirat and Bir-el-Ahmar are outposts.				
Sidi Ralaba	..	..	..	1 compagnie discipline.
Total: 1,295 Chasseurs à Pied; 600 Tirailleurs; 6 guns, field; 6 fortress; 1 squadron cavalry.				

Total force in Regency would therefore appear to be—

INFANTRY.

Tunis	..	..	..	..	4th Regiment Zouaves	..	2,400
Susa	..	..	..	..	4th Regiment of Tirailleurs	..	1,800
Sfax ..	..	..	..	..	4th " "	..	850
Gabes	..	..	..	..	4th " "	..	650
2 battalions chasseurs à pied	..	..	..	..	2 battalions Chasseurs à Pied	..	1,295
Total Infantry	..	..	..	..	..	..	6,925

Viz.: 4th Regiment of Zouaves, 4th Regiment of Tirailleurs, 2 battalions Chasseurs à Pied (37th and 39th); in all, 10 battalions.

ARTILLERY.

Tunis	..	..	..	..	2 field batteries.
Gabes	..	..	..	..	1 field battery.
Sfax	..	..	..	..	1/2 " "
Total	..	..	..	..	3 1/2 field batteries = 20 field guns.
Fortress—					
Gabes	..	..	..	..	6 guns.
Bizerta	..	..	..	..	6 " "
Total	..	..	..	..	12 guns.

CAVALRY.

Tunis	..	..	..	..	4 squadrons.
Gabes	..	..	..	..	1 squadron.
Sfax ..	..	..	..	..	3 squadrons.
Total	..	..	..	..	8 squadrons.

All accounts received from the outposts show that nothing has been as yet attempted in the construction of forts, nor as far as one can learn have any extraordinary military supplies been imported, with the exception of the machinery for the construction of torpedoes at Bizerta.

Recruitment.

In the district of Suza some 700 natives are annually recruited for the Tirailleur and Sipahi Regiments, these containing about 15 per cent. French soldiers, 10 per cent. Algerian, and remainder all native.

Since 1883, 4,410 men have been recruited for this purpose; their service is for two years only, after which they pass into the reserve. This number, it must be borne in mind, is not great at present, but it might easily be increased.

Transport.

The total number of animals existing in this Regency is computed to be:—

Camels	..	..	..	..	..	..	..	101,700
Horses	..	..	..	..	..	..	..	56,000
Mules	..	..	..	..	..	..	..	6,500
Oxen and cows	..	..	..	..	..	..	..	339,000
Sheep	..	..	..	..	..	..	..	1,639,000
Goats	..	..	..	..	..	..	..	89,000

These figures may be depended upon as *being correct*: the Reports hitherto published on this subject are altogether exaggerated.

In the Table annexed will be found a list also of the animals now existing in the chief districts.

The number of oxen, sheep, and goats shows the quantity of live stock obtainable in the shape of provisions; both cattle and sheep are now dying in great numbers owing to want of pasture.

The number of horses herein given would furnish carriage for several corps d'armée supposing we allow 7,000 to each corps supplied with carts and wagons.

The best sort of transport in this country is, however, that afforded by the camel; here again, allowing say 12,000 camels for the corps, there is carriage sufficient for a large army.

From what has been herein stated it will be noticed that this country is divided into four military districts: Tunis, which embraces the northern portion; Susa and Sfax the central; and Gabes, the southern; that the principal places are occupied, and that the force is much scattered, this being a source of weakness. At one time some trouble was experienced from the Hamema and Oudgrenuma tribes, but these for some time past have shown no signs of restlessness. This may, perhaps, in a great measure, be attributed to the policy pursued by General Allegrò, who has gained over some of the chief Sheikhs.

Secondly. As regards the means of resisting an attack from without. An invasion of this country may be undertaken by sea or land; if by the former, the advantages would be in favour of the defensive force, as there are few places on the coast where a landing could be effected. At Biserta the position is especially suited to the defensive, the entrance being narrow, and the hills each side easily fortified. A reference to the Admiralty Charts published will show the fitness of this place for this purpose.

At Goletta a landing could be carried out without much difficulty, but being in the vicinity of Tunis, it would be opposed by reinforcements from that place and Algiers.

Sfax and Susa are open roadsteads, so is Gabes, the water being very shallow in the vicinity of each of these places. But these advantages would be considerably lessened in the event of an invasion from the side of Tripoli, as such a movement would most probably be supported by a rebellion of the frontier tribes. Under such circumstances, the troops in Algeria would be required in Tunis, and another corps would have to be sent from France to Algiers.

Supposing France to be engaged in a war in Europe, she would then be driven either to retire from this country, or to lose the services of two corps d'armée, or even more, in Europe.

Thirdly. It must be borne in mind that the difficulties here spoken of are but temporary, and are only to be feared so long as this country, not being annexed, remains unsettled.

The tribes, on the other hand, once subdued, a portion of the inhabitants having been accustomed to military service—and this is being gradually arrived at through the form of recruitment already mentioned—the French Government will in the space of a few years be in a position to place on foot a large native force.

On the lines Tebessa-Gafsa-Gabes and Tunis-Gabes being laid down with rails, a concentration could be effected in the course of twenty-four hours at Gabes, which is only distant from Djemila, on the Turkish frontier, 154 kilom. An advance could then be made simultaneously by various routes on Tripoli. Nor would any pretext be wanting for such an act, disturbances being, as in the case of the Kroumirs, able to be fomented at the shortest notice among the frontier tribes. In view of this, it is evident that the Turkish Government ought to neglect no measures which may be conducive to its acquiring an influence over the tribes in the vicinity of Tripoli, and, if possible, a cordon of irregulars should be organized for frontier service,

especially between Djemila and Nalut, and might not this be administered in a manner more or less similar to that adopted by the Russian Government among the Cossacks of the Terek and Kuban? At the same time, a considerable force will have to be maintained near Tripoli, for if this land-barrier be once broken down, it will not be long before the whole of the territory between Tripoli and Egypt will fall into the hands of the French.

Further, it is certain, should this country become annexed, that Biserta will be converted into a formidable naval arsenal. At present, in the entrance to the Bay of Bizerta, which has a superficies of 10·7 miles, and an average depth of 5 to 6 fathoms, there is but 12 feet of water. This, however, could be easily deepened so as to admit vessels of large draught. A port is also about to be constructed in the Bay of Tunis, 10 miles from the sea-port of Goletta. Situated as these harbours are in the centre of the Mediterranean Sea, and inaccessible when defended by torpedoes to the approach of any vessel of war, once in the possession of France, they will furnish a basis from which hostile operations may be carried on with impunity.

From the ports of Bizerta, Goletta, and Tunis the passage of our vessels on their road to and from Gibraltar and Suez may be easily intercepted; from these, too, an attack may at any moment be directed against the fortress of Malta, or against Cagliari, Civita Vecchia, Castellamare and the ports of Sicily; in short, the annexation of this country by France would be a constant source of danger to Italy, England, and Turkey.

The question then arises, does it appear that there is at present any intention on the part of the French Government of withdrawing its army of occupation?

Some are of opinion that as this is very costly France would be only too glad to get rid of such a burden; but it must not be forgotten that the same troops which are serving in Tunis if not there would be employed on service in France, and, consequently, in reality there is no extra expenditure incurred. When this is reflected upon, coupled with the facts following, that the French "Journal de Tunis," the organ of the French authorities, is daily publishing articles filled with abuse against Italians and other foreigners; that several Maltese employed by the French authorities have assumed French nationality through the fear of being turned out of their employ; that an attempt has lately been made to set aside the rights and privileges derived from the Capitulations; that the French occupation is now styled a Protectorate; and that, though the Local Government is perfectly able to guarantee the maintenance of order in accordance with the spirit of Article II of the Treaty of Kasr-Saïd of 1881 (the disorder which existed at the time of the signing of that Treaty having been created by the entrance of the French forces into this country), this occupation has not yet ceased, one is led to the conclusion that there is no intention of retiring from this country, and that sooner or later, if not prevented by some of those Powers who signed the Treaties of Paris and Berlin, it will be formally annexed by France.

(Signed) W. RICKETTS.

Tunis, November 12, 1888.

EXPORTS from Regency.

Year.	Wheat.		Barley.	
	Quarters.		Quarters.	
1880	42,800		43,000	
1881	22,000		26,000	
1882	4,000		..	
1883 .. .. .	..		..
1884	11,500		21,340	
1885	94,000		92,600	
1886	110,000		128,400	
1887	162,000		213,000	
1874	149,000		183,000	

Crops of 1888 said to be very bad.

EXPORTS.				IMPORTS.			
Year.		Piastres.		Year.		Piastres.	
1882	31,853,480	1882	..	..	44,775,840
1883	35,622,680	1883	..	..	46,089,160
1884	29,822,160	1884	..	..	46,287,280
1885	35,317,840	1885	..	..	43,921,880
1886	31,066,360	1886	..	..	48,345,240
1887	35,919,480	1887	..	..	44,348,640
1874	44,732,000	1874	..	..	40,560,000

District.	Names of Tribes.		Where situated.	Approximate Numbers.
Gabes	Hamema	..	Extends south of Sfax to Gabes	70,000
	Benixid	..	West of Gabes	50,000
	Hazem	..	South of Gabes	10,000
	Ouegremma	..	From Gabes to frontier of Tripoli	10,000
Susa	Oulad Saïd	..	Lake Kelbia	5,000
	Souassi	..	Lake El-Hani	18,000
	Oulad Zlass	..	Lake Cherichta	30,000
	Gouzine Zlass	..		
	Sendassen Zlass	..		
Sfax	Agarba	..	..	2,300
	Meletet	..	North-east of Sfax	13,300
	Naffeta	..	Near Aarad	3,000
	El Goussen	..	..	1,500
	Belata	..	..	1,000
	Sidi Ben Hassan	..	..	8,000
	Cheata	..	..	2,000
	Maata	..	..	500
	Fetnassa	..	North-west of Sfax	8,000
	Fargalla	..	..	1,000
	Manson, S. W.	..	..	1,000
	Freshish	..	West of Sfax	13,000
Feriarra	Rhadouane	..	South-east of Sfax	1,000
	Selema	..	..	1,000
	Bu Saad	..	..	10,000
	Ayaicha	..	..	10,000
	Mamur	..	South of Sfax	2,000
	Yaya	..	..	2,000

Districts.	Camels.	Horses.	Mules.	Oxen and Cows.	Sheep.
Gabes	10,800	3,000	60	1,200	75,000
Gafsa	13,400	1,150	200	..	148,000
Kef	7,000	5,700	1,300	19,000	155,000
Kairwan	10,000	2,700	400	14,000	210,000
Susa	12,500	2,500	400	16,000	112,000
Tunis	7,900	12,500	1,200	146,000	270,000

In addition to the above there are several other districts, but these are the most important.

No. 86.

Sir Clare Ford to the Marquis of Salisbury.—(Received November 23.)

(No. 148. Confidential.)

My Lord,

Madrid, November 14, 1888.

I HAVE the honour to inform your Lordship that the report alluded to in the telegram which your Lordship sent to me on the evening of the 12th instant had reached my ears some short time past, but I did not place any reliance on it.

Not long ago a friend of mine coming from Rome passed through Madrid on his

way to Tangier, and he mentioned to me the fact that he had been positively assured in Rome that an agreement had been entered into between Spain and France with regard to Moorish affairs, thus leaving it to be inferred that France had gained that position which she is credited with coveting in persuading the new Spanish Minister of State, the Marquis de la Vega de Armijo, that the Moorish question should be considered as one solely affecting the interests of Spain and France, and that it consequently should form the subject of a common accord between those two countries.

I inquired of my friend whether he believed what he had told me to be true, and he candidly admitted that he did not, in spite of the high authority from which he had acquired his information.

A few nights after this occurrence the Marquis de la Vega de Armijo happened to be dining with me, and I seized an opportunity of telling him what I had heard and twitted him good-naturedly on his apparent change of front, should my information prove correct, after what he had said to me with regard to Moorish affairs in the conversation I had had with him on the 15th ultimo, the tenour of which I had the honour of reporting to your Lordship in my despatch No. 133 of the 16th ultimo. The Marquis de la Vega de Armijo listened to me with a certain appearance of astonishment, and exclaimed with emphasis that there was not a particle of truth in the report I had mentioned.

I did not pursue the subject further, but expressed my opinion that I had not attached any importance to the matter, as I had fully relied on the statements he had made to me when speaking on Moorish affairs.

At an interview I held yesterday with his Excellency, he spoke on the subject of Morocco and gave me to understand by his remarks that he had in no way changed his views in the matter of his policy respecting that country, which consisted, so he said, in the maintenance of the *statu quo*. He disclaimed in the most open and earnest manner having entered into any compact whatsoever with the French on Moorish affairs, and assured me that I could always place the strictest reliance on anything he might tell me.

"If," said the Marquis, "I should at any time not wish to speak on any subject I can always hold my tongue, but depend upon it when I do say anything it will be nothing but the truth."

"At one time," he continued, "I was credited with being a Germanophile, and at another as leaning to France; what I really desire is to be on the best of terms with the Great Powers and without inclining to one more than another, and only bearing the interests of my country in view to pursue a policy which will be beneficial to Spain." The French are doing, he said, no doubt their best at present to encourage a belief in the world that he was hand in hand with them, and his Excellency instanced the acts of civility which had been shown to the officers of the Spanish men-of-war who had recently visited French ports; also the great attention which had been displayed to General Blanco when, at the invitation of the French Government, that officer had assisted at some military manoeuvres in France; and he further instanced the favour shown to the Presidents of the Spanish Senate and House of Deputies respectively by the distinction which had been conferred upon them by the bestowal of decorations.

There is, however, said the Marquis, a reverse side to the medal, and apart from these acts of civility Spanish revolutionary agents are still allowed to roam at large on the Franco-Spanish frontier; and Señor Zorilla, the arch-traitor to the present Monarchical institutions of Spain, is still permitted to concoct without hindrance and with perfect security his revolutionary plots in Paris.

The Marquis de la Vega de Armijo stated to me that he had frequently been approached by members of the Diplomatic Body here on the subject of the Conference on Moorish affairs which had been initiated last year by Señor Moret, but which had fallen through, and had been asked his views on the subject. He had always replied, he said, in the sense that he would never embark on such an undertaking without having previously assured himself that all the members who might meet at such a Conference were in perfect accord, and that to pursue any different course would inevitably lead to failure. He then said that the Sultan of Morocco had taken up his winter quarters, and that he trusted there would be peace and quietness in Morocco for some time to come. The tribes, too, he said, in the direction of Figuig showed symptoms of settling down, and so he trusted no disturbances would arise for the moment from that quarter.

The impression I derived from my conversation with the Minister of State was that the French proclivities which I understand he is credited with are greatly

exaggerated, and that, at any rate, should they really exist, they are not likely to lead to any reversal on his part of the policy which was pursued by his predecessor in office in the treatment of the Morocco question, apart from that of a reassembling of the Madrid Conference on Moorish affairs, which was a hobby of Señor Moret.

I have, &c.
(Signed) FRANCIS CLARE FORD.

No. 87.

Sir W. K. Green to the Marquis of Salisbury—(Received November 24.)

(No. 131. Confidential. Ext. 12.)
My Lord,

Tangier, November 13, 1888.

IN conversing with Signor Cantagalli on the apprehensions that existed in Moorish quarters that the French might make a sudden advance from Genan Borzig to the oasis of Figuig, my Italian colleague mentioned to me that he had been somewhat surprised to hear from Señor Diosdado, whilst calling on him a day or two ago, that he did not see the need of attempting to oppose a French annexation of Figuig so long as it did not entail encroachments in the direction of Tafilet.

This language being quite at variance with what the Spanish Minister had held in past times concerning French movements in any and whatever quarter on the Mauro-Algerine frontiers, I was glad of an opportunity offered me this morning to question Señor Diosdado on the subject, though I did not let him know that I was doing so with reference to his statements to Signor Cantagalli.

The Spanish Minister said that he had no information concerning the rumoured French military preparations in the neighbourhood of Figuig, nor of the Sultan's asserted alarms on the subject, but that in any case he did not see that the slightest good could arise from foreign diplomatic action here or elsewhere with regard to the expected French advance. Señor Diosdado averred that he had learnt to understand that there was very little to be expected from such diplomatic action, and that he was in complete sympathy with Mulai Hassan in believing that there was no other way of meeting French encroachments than by accepting them silently, and thus avoiding their becoming publicly known among the Mahomedan populations until long after they had grown into established facts.

But, on my asking my Spanish colleague whether he meant to imply that the Government at Madrid would allow of a French occupation of Figuig to pass by without observation, he said there would necessarily be the formality of a protest against the slightest infraction of the territorial *status quo* of Morocco, and there the matter would end. He was even afraid the same course would be observed if the French advanced to Tafilet, and towards the basin of the River Draa, encroachments of the highest strategical and political importance. Still, they might come to be overlooked, for he was only certain that the Spanish and other foreign Governments would act efficaciously after it was ascertained that a French army was on its march towards Fez.

Señor Diosdado, to enforce his explanations to me, said that I must bear in mind that when the Spanish Government decided on opposing French progress in Morocco, every soldier in the Peninsula would have to be marched to the frontiers on the Pyrenees, and not in the direction of the African shores.

I have this day had the honour of telegraphing to your Lordship the substance of my Spanish colleague's views regarding the possible French occupation of the Figuig oasis.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 88.

The Marquis of Salisbury to Sir W. K. Green.

(No. 107. Confidential.)
Sir,

Foreign Office, November 24, 1888.

I HAVE received your despatch No. 130, Confidential, of the 6th instant, inquiring whether you should hold fairly unreserved intercourse on the affairs of Morocco with your Italian colleague.

As regards the subject of judicial and other reforms, you were instructed, by my despatch No. 103 of the 13th instant, that it would be undesirable to take any action for the present. But with respect to such matters as the apprehended encroachments of France on Moorish territory, I have to state that, in the common interest, there would be every advantage in your holding unreserved intercourse with Signor Cantagalli; and you should be careful to use no language which might be construed into possible acquiescence of Her Majesty's Government in the designs that are attributed to France.

I am, &c.
(Signed) SALISBURY.

No. 89.

The Marquis of Salisbury to Sir W. K. Green.

(No. 108.)
Sir,

Foreign Office, November 24, 1888.

I HAVE received your despatch No. 11, Africa, of the 11th instant, and I have to convey to you my approval of the terms of the note which you have addressed to the Moorish Government, putting forward a specific demand for compensation for the Cape Juby outrage, a copy of which accompanies your despatch.

I also approve of your having, for the reason which you give, supplemented your official note to the Moorish Minister by one couched in a private and confidential form.

I am, &c.
(Signed) SALISBURY.

No. 90.

The Marquis of Salisbury to M. Catalani.

M. le Chargé d'Affaires,

Foreign Office, November 24, 1888.

I HAVE the honour to transmit to you, for your information, in connection with the despatch from the Italian Minister at Tangier which you communicated to me on the 15th instant, the accompanying copy of a despatch from Her Majesty's Minister at Paris, reporting the substance of a conversation which he had had with the French Minister for Foreign Affairs in regard to the attitude of France towards Morocco.*

I have, &c.
(Signed) SALISBURY.

No. 91.

Sir W. K. Green to the Marquis of Salisbury—(Received November 28.)

(No. 132.)
My Lord,

Tangier, November 17, 1888.

APPREHENSIONS appear to have arisen in some quarters lest my speculations on the political situation of Morocco should encourage French designs on this country.

I regret that what I considered an enumeration of facts should have borne the appearance of speculations, especially as I intended by the setting forth of those facts to bring out prominently the need of an early remedy of evils which, if left to grow, could only result in the success of French designs on Morocco.

In my despatch to your Lordship No. 117 of the 14th ultimo I had the honour of reporting to your Lordship that my Italian, German, Spanish, and French colleagues were all equally prepared to admit that the Shereefian rule needed strengthening, that this strengthening could only be effected by united action, and that without united action nothing satisfactory could be carried through.

In no direction whatever was there an admission that any one of the foreign Governments could single-handed attain its own particular ends in this country.

I have always maintained the tone in conversations with my colleagues that the Marroquine question, as far as concerns the existence and territorial *status quo* of the

Empire, is not one that can be solved through the local manœuvring or intrigues of this or that Representative. The question, if it ever arose, could only receive a solution in the Cabinets of Europe; therefore the foreign Representatives in the mean time should usefully occupy themselves in endeavouring to spare their Governments the need of active proceedings in these parts.

I, furthermore, in the reported conversations with my colleagues, was careful to speak in more general terms to the French Minister than to the others, as I had not lost sight, for a single moment, of the fact that France looks upon the countries adjoining Algeria as inheritances that will fall to her in the due course of events.

But Señor Diosdado was somewhat inclined to take me to task for having been thus reticent with M. Féraud, and I was made to understand that Spanish opposition to French projects in Morocco could only be efficacious when Spain took the supreme decision of crowding all her soldiers on the Pyrenees.

Whilst thus showing your Lordship that I had not altogether fallen into the error of opening a door of encouragement for a French assumption of a regenerating mission in the affairs of this country in the particular instance of my recent conversations with my colleagues, I cannot either hide from your Lordship the fact that Señor Diosdado has repeatedly expressed to me the conviction that if an attempt is made to lead the Maroquine Government into a course of self-improvement it will instantaneously crumble to pieces and become the natural prey of France.

I have no doubt that this asserted conviction of my Spanish colleague, which he is at no pains to hide, finds a certain echo among some of the foreign Representatives here who are new to the country, and whose watchfulness over French proceedings is imposed on them by the foremost paragraph of their instructions.

With a full desire to go in accord with Señor Diosdado in maintaining the Shereefian rule and the independence of Morocco, I nevertheless find myself perplexed how to follow him.

He shies at French pretensions and intentions, but can only think of donning blinkers or of being blindfolded to be able to pass them by. He asserts that the system of government is so rotten that if touched it will fall to pieces, yet he calls for some united action to prop it up, all the time declaring that the props will pierce through and not sustain the decaying mass.

In a word, Señor Diosdado is at his wits' ends because he sees and feels that Morocco will not last in its present mouldering state until the Spanish nation can step forward and claim it as its own.

Therefore I do not think that I am altogether wrong in expressing the opinion that a policy of inaction, that is, a policy of encouragement of the Sultan in all the peculiar ways which render his rule the bye-word of the age, is not one to be commended, though for me personally it would be a policy which would soon transform me into one of the most acceptable friends at his Shereefian Court, for Mulaï Hassan is intelligent enough to appreciate the difference between the approval of a British Representative and that of a Spanish Minister.

My predecessor, Sir John Drummond-Hay, by untiring efforts steered this country through half a century of constant difficulties, both external and internal, yet he never once proffered advice calculated to keep it from contact with the outer world or to persist in its primitive and unjust system of government. The archives of this Legation are crowded with plans for the reorganization of the Administration; with counsels as to the introduction of the European systems of taxation and paid officials; and with endless representations for the adoption of a more liberal commercial policy. All the progress and advantages in existence here to-day may be attributed to Sir John Drummond-Hay's energy and ceaseless preaching to the Shereefian Rulers.

My predecessor before he retired had perceived the paralysis that had come over the Moorish Government. The acceptance of such pleasant counsels as to keep foreigners at arm's length; to meet all applications, whether right or wrong, with silence or refusal; and never to yield except under threats of compulsion, rendered all further preachings and good advice unacceptable and useless.

In face of this situation I have ventured to submit that something may still be done, especially with a view to preventing Morocco being scrambled for or being parcelled out between two or three interested nations.

My suggestion to strengthen and ameliorate the Moorish Government, I believe, is not in the least calculated to encourage French designs on Morocco. Such designs can only be furthered by leaving Morocco in its present state. If internal troubles should arise whilst this country promises only a continuance of the infamies of the actual rule, and of the determination to keep the Empire closed against European enterprise, it would be extremely difficult to secure popular support for a policy based on the maintenance of

such evils and narrow-mindedness. A French declaration that all these abuses—the wholesale robbery, slaughter, or imprisonment of tribes, the Slave Trade, flourishing slave breeding establishments, &c.—would be swept away by French intervention could not be easily opposed.

The kernel of the proposal detailed in my despatch No. 117 of the 14th ultimo was a call for the due observance of a Treaty stipulation facilitating the residence of European traders at the Maroquine ports; for the improvement of the existing Commercial Conventions; and for the establishment of properly constituted Native Tribunals, where the evils of foreign protection of natives could be abolished. I distinctly based it on my conviction that by the adoption of such slight progressive measures the Moorish Government would acquire strength, whilst by inaction it could only perish, an end freely admitted as inevitable by those who advocate inaction on the ground that progress is impossible.

In conclusion, I must inform your Lordship that Señor Diosdado, who is the leader of the policy of inaction, and who frightens us all with his alarms as to the opening of the door to progress and the possible march thereby of the French into Morocco, constantly points to the dangers created by the intrusion of British interests in the country. He urges me to discourage the influx of my enterprising countrymen, to throw cold water on their energy, and to help the Sultan into raising difficulties in the way of their establishment in the Empire. Your Lordship will understand that I could not adopt the conduct suggested except under positive instructions from your Lordship.

In return, I have ventured to show to my Spanish colleague that, whilst observing the so-called dangers caused by the increasing British intercourse with Morocco, he might consider for a little whether he can stem the influx of Spaniards into the country.

The increase in the British relations with Morocco, I am of opinion, is neither dangerous nor objectionable to the natives. Our countrymen are either traders or artisans provided with certain means of their own which they hope by fair dealings to increase, or they are people with assured incomes in search of a temperate climate or of easy and economical living. They are all employers of natives, and are thus channels of distributing money in the country. In no way do they encroach on the native vested interests and rights, and their presence causes no irritation.

But, on the other hand, the Spaniards who are flocking to Morocco in hundreds, especially to Tangier, are, with few exceptions, penniless. They come to compete in the employment with the native labourers, charcoal and lime burners, carpenters and builders. Their presence has immediately become a source of discontent and jealousy. In a high-handed manner, countenanced by the Spanish Consular authorities, these immigrants have assumed equal rights with the Moors on common lands, over public woods and forests, to stone quarries and other sources of livelihood to which only natives should be entitled. Tangier is being over-run by herds of swine, offensive in the extreme to Mussulmen, belonging to the immigrants; the Franciscan monks have reared hut camps for housing the new arrivals, which are an eyesore and health-danger to the place. Spanish poor-houses, hospitals, convents, medical schools and such public buildings are fast being established. Yet Señor Diosdado can only complain of the dangers to the stability of the Moorish Government through the influx of a fair number of respectable British merchants, health-seekers, and tourists. He admits his inconsistency, but allows it to be inferred that Spaniards have special privileges in Morocco, and are entitled to act differently to all other foreigners.

My anxiety to put your Lordship in possession of all facts connected with the asserted danger to the stability of the Moorish Government through the faintest attempt to introduce into it a small element of progress will secure for me, I trust, your Lordship's favourable indulgence for troubling your Lordship at such length, especially as I believe I have sufficiently shown that I have in no way adopted a course likely to foster French designs on Morocco.

I have, &c.
(Signed) W. KIRBY GREEN.

F.O. 403/64

ALY WITHOUT PERMISSION OF THE
PUBLIC RECORD OFFICE, LONDON

Sir W. K. Green to the Marquis of Salisbury.—(Received December 1.)

(No. 133.)

My Lord,

Tangier, November 20, 1888.

I HAVE the honour to report, for your Lordship's information, that M. Féraud, who had for the past four years been French Minister in Morocco, died here last night after a short illness.

M. Féraud, by his non-aggressive and conciliatory bearing, had not only gained the confidence and good-will of the Moorish Government, but also the esteem of all his colleagues, by whom it was felt that, as long as he conducted the policy of France in Morocco, the Sultan's authority would be treated with consideration.

M. Féraud's untimely death has now naturally given rise to many speculations, especially as it is much feared that his successor, whoever he may be, may not have the intimate knowledge of the Moors which smoothed the way so successfully of M. Féraud's dealings with them.

I have, &c.

(Signed) W. KIRBY GREEN.

Mr. J. G. Kennedy to the Marquis of Salisbury.—(Received December 1.)

(No. 301. Secret and Confidential. Ext. 45.)

My Lord,

Rome, November 21, 1888.

WITH reference to my telegram No. 44 of the 15th instant, I have the honour to report that Signor Crispi has instructed Count Tornelli (now on his way back to Madrid) to urge the Spanish Government not to press their claim against Morocco for a cession of territory at present. His Excellency added that he could not promise Spain the support of Italy in this matter, as he would thereby expose himself to similar demands from other quarters.

I have, &c.

(Signed) J. G. KENNEDY.

Sir W. K. Green to the Marquis of Salisbury.—(Received December 1.)*

(No. 15.)

(Telegraphic.)

Tangier, November 30, 1888.

FRENCH Chargé d'Affaires called on me this evening, and informed me in a most confidential manner that he had just received news from Fez, which he has every reason to consider well founded, to the effect that the Sultan has, at the instance of Italian Minister, written to Representatives of the Triple Alliance to ask their Governments to bring about a European Conference for the purpose of securing the inviolability of Morocco territory, and promising in case of success to place Morocco at the disposal of the allies.

The Chargé d'Affaires states that the Sultan has been induced to act thus under Italian misrepresentation of the views of France, Spain, and England on Morocco.

To the questionings of the Chargé d'Affaires I replied I had no knowledge of the asserted proceedings of our Italian colleague, but that, on the contrary, I was led to believe he was instructed to sustain the existing state of things here.

* Repeated to Paris, Rome, Berlin, and Madrid.

The Earl of Lytton to the Marquis of Salisbury.—(Received December 3.)

(No. 586.)

My Lord,

Paris, December 2, 1888.

THE "Journal Officiel" of this day notifies the appointment of M. Jules Patenôtre, some time French Minister in China, to be Envoy Extraordinary and Minister Plenipotentiary at Tangier, in the place of the late M. Féraud.

I have, &c.

(Signed) LYTTON.

Further Memorandum by Sir E. Hertslet respecting the Position of Santa Cruz la Pequeña.

SINCE the Memorandum of the 20th December, 1877 (No. 3457), was prepared, the following incidents have occurred respecting the Santa Cruz la Pequeña question:—

On the 7th February, 1878, Mr. Donald Mackenzie wrote a letter to this Office, in which he said he had received a letter from the British Vice-Consul at Lanzarote, Canary Islands, in which he had stated that, on the 6th January of that year, a Spanish steamer of war had arrived at Lanzarote with a Mixed Commission of Spaniards and Moors, the first to take, in the name of Spain, and the last, in the name of the Emperor of Morocco, to give possession of, a tract of land on the African coast about east from that island (Lanzarote) ceded to Spain by Treaty on the termination of war; and he added that the place was called *Santa Cruz de Mar Pequeña*, between *Cape Nun* and *Boca Grande*.

Mr. Mackenzie then said that from the Vice-Consul's account the portion of the coast of Africa which the Spaniards proposed to occupy was situated about 30 miles north of *Cape Juby*, where, he said, he proposed himself to establish a commercial and missionary station, with the view of opening up commercial intercourse with the tribes of the interior, and for exploring the country. He was informed, in reply, that steps would be taken to endeavour to ascertain the exact spot where the fishery establishment alluded to in the Treaty between Spain and Morocco of 1860 was to be located, and the extent of ground to be occupied.

In May 1879 Consul Dundas of Tenerife, in a despatch in which he commented on the Mackenzie colonization scheme, said the Spaniards were intensely jealous lest the English should succeed where they had failed; and he remarked, "they have long possessed *Santa Cruz de Mar Pequeña*,* of which they have so far made nothing, and have even been twitted by their own journalists with not being able to find the place."

In August following Sir J. D. Hay, who was then in London, said he had seen a letter from the Chief Beyrook to one of the Sultan's Ministers, in which he declared he was the humble subject of the Sultan of Morocco, which was written after the Spanish vessel of war, having on board the Spanish and Moorish Commissioners appointed to discover the site of *Santa Cruz la Pequeña*, ceded by Treaty to Spain for a fishery station, had landed at "Ifuy,"† about 80 miles south of Agadeer. (This must, I think, be intended for "Ifni.")

Sir J. D. Hay further stated that the Spanish Consul at Mogador had sent secret messengers with bribes to the inhabitants of *Ifuy* [? *Ifni*] to declare that that site was that of *Santa Cruz la Pequeña*, which Sir J. D. Hay said it was not.

In August 1882 the Sultan informed Sir J. D. Hay that he was about to undertake an expedition to Soos to assert his authority there, adding that he wished to see for himself whether there was any fit site for a port on the coast, especially that of *Santa Cruz la Pequeña*, where a fishery was ceded by Treaty to Spain; and, in reporting this circumstance home, Sir J. D. Hay said he had spoken to the Governor of Tsekna, a powerful Arab tribe inhabiting the district between Wad Noon and Wad Draa, who expressed an opinion that there would be no difficulty in opening a port on the site of *Santa Cruz la Pequeña*, if the Sultan did not attempt to impose heavy taxes on the population, and selected Governors or Sheikhs from the inhabitants, and not from members of his Court; and at a subsequent interview which Sir J. D. Hay had with the Sultan His Majesty said he was desirous of coming to an understanding with the Spanish Government regarding the cession made to Spain in 1860 of *Santa Cruz la Pequeña* as a fishing station.

* But they had not really done so.

† Qy. same as "Ifuy." See p. 6 of Print No. 3457.

Confidential
No. 4775,
p. 2.

After this, it was reported the trading station of Mr. Mackenzie at Cape Juby had greatly excited the susceptibilities of the Spanish Government and people, and prevented thereby their acceptance of the proposals which had been made by the Sultan for the abrogation of the Article in the Treaty of 1860 respecting Santa Cruz la Pequeña on the payment of a large sum, which fact had also irritated the Sultan.

Ibid., p. 113. In November 1882 it was reported that the Spanish Council of Ministers had decided on sending the corvette "Ligura" to take possession of Santa Cruz de Mar Pequeña, but this was denied by the Spanish Government, who assured Sir R. Morier that negotiations respecting the exchange of this territory for some other were not terminated.

The "Ligura," however, arrived at Teneriffe very shortly afterwards, and Consul Dupuis reported that it was believed that the 230 men of the Marine Infantry on board, although landed at Teneriffe, were really to be dispatched to Santa Cruz de Mar Pequeña, which, he said, appeared to be an old long-abandoned fort on the West Coast of Africa, to the north of Juby, nearly opposite to the Canary Islands; and that, according to historical records, the place was a Spanish possession for some time after the commencement of the fifteenth century, when the Spaniards were expelled by the Moors.

Ibid., p. 122. Sir J. D. Hay also reported that the Spanish Government had made known to the Sultan that they required the execution of the Article of the Treaty of 1860 which ceded to them Santa Cruz la Pequeña.

Ibid., p. 124. In a note which Sir J. D. Hay addressed to the Moorish Government about this time (December 1882), he observed that the site of *Santa Cruz la Pequeña*, claimed by the Spanish Government, was within the dominions of the Sultan, inasmuch as it was situated to the north of *Wady Draa*, as marked in Maps in his possession, and that no question to the contrary had ever been raised by Her Majesty's Government or himself; whereas Tarfaya, where Mackenzie was stationed, was about one and a half days' journey south of *Wady Draa*.

Ibid., p. 126. Mr. Mackenzie, however, was strongly opposed to the Spaniards making a Settlement at Santa Cruz de Mar Pequeña, which, he said, was only 35 miles north of Juby; and he informed Consul Dupuis that, if the Spanish Settlement was made there, he would report the matter to Her Majesty's Government, as it would do his Company much harm.

Confidential
No. 4862,
p. 7.

This was followed up by a letter from the Directors of the North-West African Company, in which they said that, as a Spanish force was about to take possession of Santa Cruz de Mar Pequeña, the Company would be exposed to constant annoyance and danger unless it was recognized by Her Majesty's Government; that intriguing officials would certainly get embroiled with the tribal authorities, and thus lead to war, which the Emperor of Morocco would be unable to avert. They further observed that the hatred of the Arabs to the Spaniards was intense, and that they believed that Spanish occupation was caused only by jealousy of seeing an English Settlement living in peace and amity with the natives.

Ibid., p. 18. About this time an article appeared in the Spanish newspaper the "Democracia," headed "The Canary Islands in Danger," and with reference to *Santa Cruz de Mar Pequeña* it said that Don Diego de Herrera had raised a fort there, which was known to this day to the fishermen by the name of *Puerto Cansado*, and to the Moors by that of *Assaka*.

On the 9th February, 1883, Sir J. D. Hay announced that he had been informed by a Spanish official, M. Diosdado, that the Sultan of Morocco had agreed to send a Commissioner, in company with a Commissioner appointed by the Spanish Government, to fix the limits of the site on the coast for the fishery; but he said he (M. Diosdado) did not believe that any orders had been given to take possession, as the Government of Madrid would desire, in the first place, to learn the opinion of their Commissioner regarding the practicability and utility of such an establishment.

Ibid., p. 55. On the 6th May following (1883) Consul Dupuis announced, by telegraph, that it was reported that the Spanish war-vessel "Ligera" had sailed on the previous day with civil and military engineers, and the Harbour-master of Grand Canary, for Mogador, to take on board Spanish and Moorish Commissioners of Limitation, and proceed to Santa Cruz de Mar Pequeña.

Ibid., pp. 53, 56. Consul Dupuis was then asked by this Office if he knew what place had been selected as Santa Cruz de Mar Pequeña; and he replied that the Spanish papers said it was not where Santa Cruz de Mar Pequeña was supposed to have been, but another locality opposite the Canary Islands; but he afterwards reported that the place

supposed to have been selected was Puerto Cansado (which the Spanish newspaper, the "Democracia," said was the same place as Santa Cruz de Mar Pequeña).

Confidential
No. 4861,
p. 123.
Confidential
No. 5001,
p. 14.

The Conference, however, between the Spanish and Moorish Commissioners failed; and the Spanish expedition, after remaining for more than a twelvemonth at Teneriffe, returned to Spain.

In June 1883 the Spanish Minister of State informed Sir R. Morier, in answer to his inquiry, that no progress had been made by the Mixed Commission charged with determining the locality to be ceded on the west coast of Morocco to Spain, although in another despatch he said the negotiations had been carried out most harmoniously. He said the Commission had a distinct work appointed to them—that of determining some convenient spot between Cape Ghir (marked on the Map as *Santa Cruz de Agadir**) and the River Draa, the southernmost recognized frontier of Morocco; that whilst so employed the Moorish Government offered a locality for settlement at *Port Cansado*, a spot between the *River Draa* and *Cape Juby*, which was outside the Moorish territory, and that as the Spanish Government had a perfect right to establish themselves there without asking the consent of the Moorish Government, in the same manner as Mr. Mackenzie had done, the offer of *Port Cansado* was one not only which the Spanish Government could not accept, but which Sir R. Morier said it seemed clear to him the Minister had not a little resented.

Confidential
No. 4923,
p. 8.

When asked by Sir R. Morier to point out on a Map where Santa Cruz de Mar Pequeña of the Treaty was situated, the Spanish Minister was unable to do so, although he produced a Map and searched for the place for a long time. He, however, fully admitted that when the Treaty was concluded no attempt was made to fix the locality, and that when some years later a Commission had been sent in search of it, the weather having been too rough to allow of its landing, they had determined generally from on board ship the latitude and longitude of where it was most likely to be.

Sir J. D. Hay also reported at this time (the 29th June, 1883) that the Spanish Commissioners who had been dispatched to the Soos Coast to fix on the site of Santa Cruz de Mar Pequeña, in company with the Moorish Commissioners, had arrived at Tangier; but that as far as he could learn no agreement as to the site had at that time been come to; for that the Spanish Commissioners found that Puerto Cansado, in latitude 28° north, which the Sultan offered, was (and Sir J. D. Hay said he concurred in that belief) the site, or in the neighbourhood of, the ruins of Santa Cruz de Mar Pequeña, as laid down in a Spanish Map in a work called "Guia del Oficial en Marruecos," by Don Serafin E. Calderon, Auditor-General de Ejército; but that the Spanish Commissioners had found that Ifni, or Port Hillsborough, in latitude 29° 10' north, was more eligible in every respect, and that they had therefore claimed it as the site for the Spanish port or fishery ceded by Treaty.

In a later despatch Sir J. D. Hay pointed out that the French Map of Renou, published in Paris in 1845, fixed Mar Pequeña, or Little Sea, as being close to Cansado, and that on that Map an inland sheet of water, representing the Mar Pequeña, was given. He also expressed his opinion that the fishery of Santa Cruz de Mar Pequeña was situated there; and he observed that, as the Sultan laid claim to all that territory, he was not surprised that he offered that particular site, never supposing that he would thereby give offence, but this opinion differs from that which Sir J. D. Hay expressed upon the subject in 1860 (see p. 3 of printed Memorandum No. 3457); and, in a despatch to Sir R. Morier, written at the same time, Sir J. D. Hay said he agreed with him in thinking that the Spanish Government had good grounds for complaint at the offer of Puerto Cansado, but that he had been given to understand that the Sultan was under the impression that this was the site of Santa Cruz de Mar Pequeña, the fishery in the time of Charles III; adding that, in the Map published in the "Guia del Oficial en Marruecos," the site was fixed a little to the south of Wad Noon; but that, as the Sultan had no Maps, and was in utter ignorance of geography, there was some excuse for him. Moreover, that he claimed to be Sovereign over all the territory between Wad Draa and Cape Juby.†

July 9, 1883.
Confidential
No. 4923,
p. 17.
Ibid., p. 17.

Sir J. D. Hay also sent home extracts from several published works which he said he thought left little doubt that Puerto Cansado was the establishment formed in 1476 by Herrera, and that the sheet of water marked in the Map of Renou, and said to be about 2 miles square, was the Mar Pequeña.

Ibid., p. 13.

But in September following (1883) Consul Dupuis reported that, after a prolonged absence of several months, the Spanish Commission for marking out the territory to be

Ibid., p. 105.

* Santa Cruz or Agadir is marked on the Admiralty Chart as being some miles to the south of Cape Ghir.
† This claim however has never been recognized by Her Majesty's Government.

F.O. 403/64

ALTY WITHOUT PERMISSION OF THE
PUBLIC RECORD OFFICE, LONDON

acquired by Spain under the Treaty of 1860 had returned to Teneriffe without having been able to effect their object, as they could not ascertain the whereabouts of Santa Cruz de Mar Pequeña, at which the local papers again twitted the Spanish Government with looking ridiculous in the eyes of Europe, saying that the Sultan of Morocco had got the best of the bargain.

Confidential
No. 4923,
p. 111.

Consul Dupuis also stated that Mr. Mackenzie, of the North-West African Company at Cape Juby, had just visited Santa Cruz de Mar Pequeña and examined the place, and found that it was a port which could not be of the slightest good to Spain or to any other country, inasmuch as there was a bar right across the entrance which would prevent any vessel or, indeed, a boat from passing; and that the port itself was full of sandbanks, many of them being dry at low water, and that the greatest portion was dry at all states of the tide.

Ibid., p. 124.

In the following month Sir J. D. Hay reported that he had learnt that the Sultan had offered to cede to the Spanish Government the site of Ifni (latitude 29° north, longitude 12° 50' west), although, in making the offer, the Sultan declared that he had been justified in offering in the first place *Cansado*, as it was undoubtedly the ancient port of Santa Cruz de Mar Pequeña.

By Habe-
nicht.

Whether Ifni has actually been accepted and occupied by Spain does not appear from our correspondence, but it is a somewhat singular fact that in the Map of Africa in nine sheets, just published by Handtke, Ifni is coloured as belonging to Spain, and has the word "Spanish" written under it; and that in Justus Perthe's large Map of Africa (latest edition) Ifni is not only coloured as belonging to Spain, but is described as being the same place as Santa Cruz de Mar Pequeña, but which it certainly was not considered to be in the sixteenth century.

Confidential
No. 5173,
p. 42.

It may be mentioned, in conclusion, that on the 7th March, 1885, Consul Dupuis sent home some extracts from a Report which his Italian colleague, Don Pedro Ravina, had just then forwarded to his Government, and from which he had permitted him to make extracts respecting the Spanish Commission of Exploration which visited the coast of Morocco in 1883; and the following is that part of it which related to Santa Cruz de Mar Pequeña.

The Report began by saying:—

"The Spanish Government having acceded to the wishes of the Sultan of Morocco, that a Commission should be appointed to study and carefully explore that part of the west coast of the Empire comprised between Sidi Mohamet Ben-Abdullah and El-Baida, or White Plain, with the view to select a place for a port for the outlet of the products of the rich country of Suz, the Commission named at Mogador on the 21st July, 1883, started on the 23rd of the same month on its journey of exploration. The country to be explored was of considerable extent, but the time allowed for the work was extremely limited. The Commission, in company with the Hispano Marruco members charged to report on the localities where in olden times stood Santa Cruz de Mar Pequeña and other old works, had to hasten its operations, so that it could scarcely give to the undertaking that careful and detailed study required in a work of this nature. Nevertheless, although sufficient information has been collected to form an idea of the capabilities afforded by Nature to carry out the project in view, still too much absolute reliance must not be attached to every detail given. The Commission started from Mogador, and arrived at Santa Cruz de Agadir on the 23rd July, from whence its explorations were carried on by land.

"From the geological formation of the land and its constant and unvarying height above the level of the sea, it was soon seen that the difficulties of establishing a port on the west coast were very great. The Commission regrets that Santa Cruz de Agadir, the only favourable place on the coast for the establishment of an extensive port, surrounded as it is by a fertile and productive country, was not also included in its zone of operations, as further on will be seen the impossibility of creating commercial centres elsewhere on the coast."

The importance of Sidi Mohamet-Ben-Abdullah, Sidi Ifni, Sidi Worsik, Akssei, Akassa, and Baida, or White Plain, were then separately described.

Résumé.

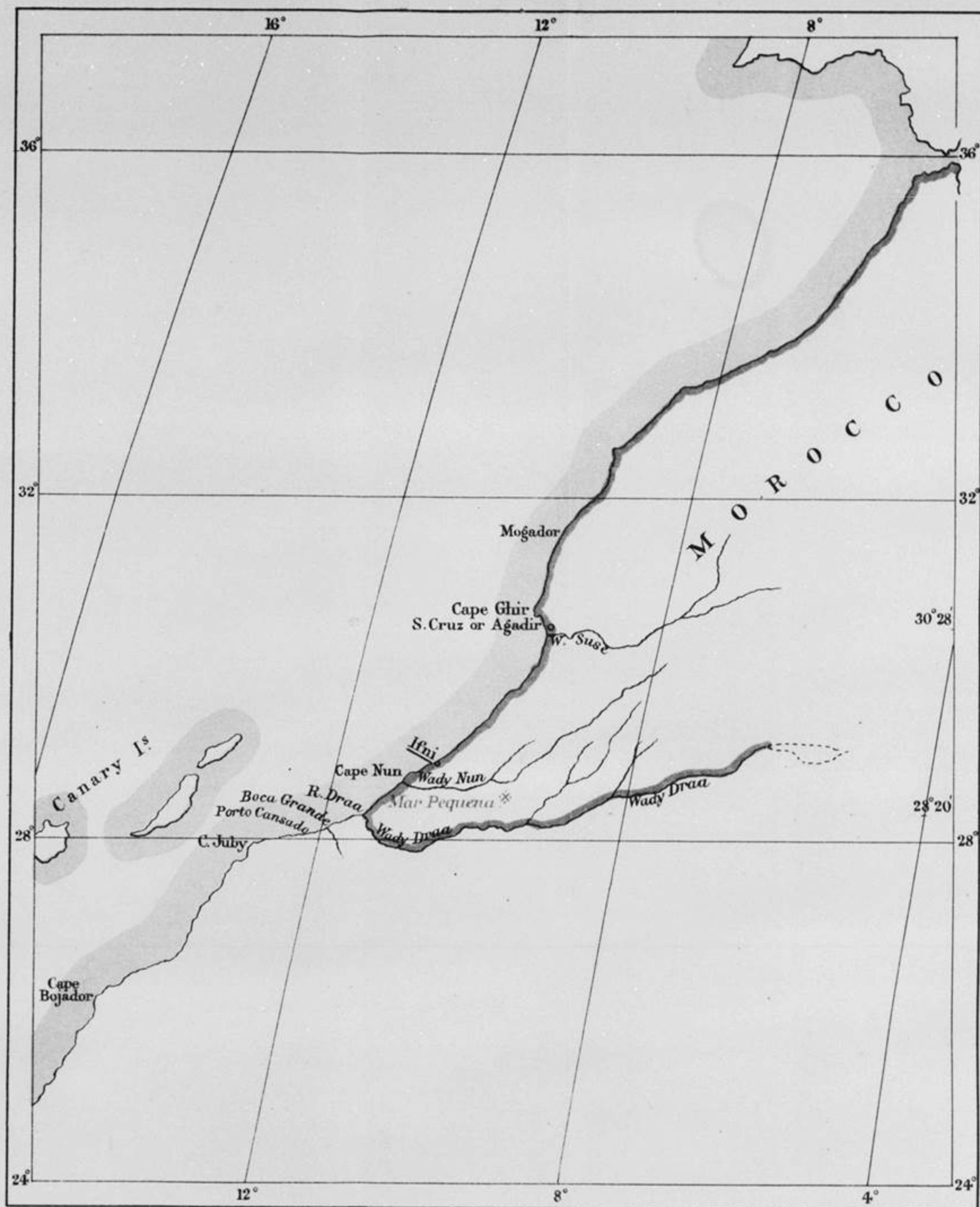
Memoran-
dum
No. 3457,
p. 1.

Ibid., p. 2.

It would appear, then, from what has been stated above:—

1. That it was stipulated in the Treaty of 1860 that ground "close to Santa Cruz la Pequeña" should be ceded by Morocco by Spain, and that Commissioners shall be appointed to "mark out the ground and limits" of the territory to be ceded.

2. That owing to the loose wording of the Treaty, and to the fact of its having



* Approximate Position of Mar Pequena as marked on Spanish Maps of the 16th Century.
 See F.O. Map N^o 8th Africa, And on Map dated 1764 in Spanish Work of 1772, by Jorge Glas, See 8^{vo} 1254 Vol. 1.

— Moorish Territory marked Green
Wady Draa the acknowledged Southern Boundary of Morocco.

been signed in two languages (Arabic and Spanish), it was not clear where the territory was which it was intended should be ceded, whether "Santa Cruz or Agadir," or "Santa Cruz la Pequeña," near the River Noon. Memorandum No. 3457, p. 3.

3. That the Spaniards originally maintained (in 1860) that it was the latter, and not the former.

4. That they afterwards said it was at a place called "Santa Cruz de Mar Pequeña." Ibid., p. 4.

5. That more recently they have maintained that it was at Ifni.

6. That Spanish and Moorish Commissioners have been sent to the coast to endeavour to find out the exact position where Santa Cruz la Pequeña formerly stood, but that they have failed to do so. Ibid., pp. 12, 15, and 18.

7. That it has been supposed by some that Santa Cruz de Mar Pequeña was another name for Cansado or Assaka. Ibid., pp. 10, and 11.

8. That this place was offered by Morocco to Spain, but declined. Ibid., p. 14.

9. That the Spaniards have since claimed Ifni as being the site intended for their fishery station. Ibid., p. 16.

10. That the Sultan would appear to have offered this place to Spain, but with what result does not appear.

The probable object, however, which the Spanish Government would now appear to have in view would be to gain possession of *Santa Cruz or Agadir*, as there is no doubt of that being the most favourable spot on the whole coast for the establishment of an extensive port. Ibid., p. 24.

(Signed) E. HERTSLET.

Foreign Office, December 3, 1888.

[Map annexed.]

No. 97.

Sir W. K. Green to the Marquis of Salisbury.—(Received December 4.)

(No. 134. Confidential.)

My Lord,

Tangier, November 23, 1888.

BY my despatch No. 132 of the 17th instant, I had the honour, whilst refuting certain apprehensions that a call for strengthening the Moorish system of Government would open a door to French designs on Morocco, to explain to your Lordship the perplexing nature of the Spanish Representative's views as to the need of opposing the intrusion of foreign progress into this country.

Since the death of the French Minister, M. Féraud, reported in my despatch No. 133 of the 20th instant, Señor Diosdado has expressed, not only to me but also to several other colleagues, his fear that the deceased Minister's successor will not continue the conciliatory policy towards the Moorish Government which was so satisfactory a feature of M. Féraud's term of service.

Señor Diosdado's language on this subject, however, is to me quite as perplexing as that against attempting to lead the Moorish Government to improve itself.

On the morning after M. Féraud's death he called on me, and said that something must be attempted to "save the situation," for affairs in Morocco really could not and would not long continue in their present state.

Silence on my part caused the Spanish Minister to develop his meaning by stating that, unless the European Governments interested in the maintenance of the Maroquine rule would accept and guarantee the Sultan's declaration of the neutrality of Morocco, the Shereefian Empire would more or less rapidly melt away.

To my questionings as to how he proposed to secure the observance of Moorish neutrality through a simple declaration by Mulai Hassan, that he had determined that his country should be self-contained, that is, that it should attack no one and be attacked by nobody, Señor Diosdado replied that the integrity of Maroquine territory could be sustained in no other way. The Sultan's declaration was intended to elicit from the foreign Governments the engagement that they would seek no territorial acquisitions in Morocco, and that if any were attempted they would constitute an immediate *casus belli*, to the detriment of the disturbing Government.

A settlement in the above sense between the foreign Governments was, in Señor Diosdado's estimation, of easy attainment.

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As for the Sultan being held responsible for attacks on the Spanish possessions in Morocco by the neighbouring wild mountaineers, or for Maroquine incursions on the Algerine frontiers, that would be impossible. But both Spain and France would be entitled, under separate agreements with the Moorish Government, whenever the need arose of punishing the unruly border subjects of His Shereefian Majesty, to summon the Sultan to inflict the necessary punishment, which, if it could not be inflicted single-handed by the Moorish Government, would be effected by Spanish or French troops, according to the case, who would enter Maroquine territory in conjunction with Moorish soldiers, or without, if the Sultan had none to furnish. After the infliction of the military castigation, the invaders would return whence they came, and a bill for the expenses of the expedition would be presented, which the Moorish Government would have to discharge.

Señor Diosdado did not contemplate that other Governments, besides those of Spain and France, who might be sufferers at the hands of semi-independent Maroquine tribes, should be entitled to seek reparation in the same manner, as they would not be in the exceptional position of neighbours to Morocco, though shipwrecked mariners or travellers could very well be sufferers of Mauresque barbarity. Nor did Señor Diosdado think that a Sultan of Morocco would be liable to prompt dethronement at the instance of his fanatical subjects if he countenanced in the remotest manner the invasion of Moorish territory by Christian troops, however vehemently His Majesty might proclaim that he held assurances that the foreigners would not remain permanently on his territory. Señor Diosdado, moreover, did not explain to me in what manner the expenses of military expeditions against offending tribes could be recovered should the Moorish Government hesitate about paying them.

To my suggestion, that perhaps a more satisfactory arrangement could be arrived at for securing the maintenance of the territorial *status quo* of Morocco by not making the Moorish Government a party to engagements to which it should rather bind others than itself, my Spanish colleague declared that the Government of Madrid would refuse to enter into any arrangement that deprived Spain of her liberty of action in a way other than that of taking simple note of a declaration by the Sultan of the neutrality of Morocco.

I elicited from Señor Diosdado that he believes Mulaï Hassan's demand for the neutralization of his country, capped by a declaration of most of the European Governments, that the infraction of Moorish territory would be deemed a *casus belli*, would not be of much practical value when France finally decided to advance in this direction, but that in the meantime it would have a deterrent effect all round, and make the Sultan and some other factors interested in Morocco, not specially indicated, fancy themselves secure.

It is perhaps difficult to fathom the scope of Señor Diosdado's somewhat complex views on the policy that ought to be followed in Morocco. He has left me, however, under the impression that the attempt is about to be renewed to bring forward the question of the acceptance of the Sultan's declaration of the neutrality of his country, first mooted in the summer of 1887 (see my despatches Nos. 83 and 84 of the 21st and 22nd August, 1887). My Spanish colleague, either voluntarily or not, has also raised in me the belief that his chief anxiety is to tie up the liberty of action in this direction of all countries, except Spain and France, claiming to be interested in the fate of Morocco.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 98.

Sir W. K. Green to the Marquis of Salisbury.—(Received December 4.)

(No. 135. Confidential.)
My Lord,

Tangier, November 23, 1888.

WITH reference to my despatch No. 134, Confidential, of this day's date, relative to my belief that an attempt is about to be made to again bring forward the question of the acceptance of the Sultan's declaration of the neutralization of Morocco, I think it may perhaps interest your Lordship to learn that Señor Diosdado, whilst endeavouring to depreciate my estimate of the value of British or other foreign objections to French or Spanish territorial acquisitions in Morocco, made to me the following two statements.

He said, first, that the impression, which had gained the standing of a historical fact, that the Spanish Government had not been permitted in 1859 to commence its military

operations against the Moors until Marshal O'Donnell had given the British Representative at Madrid a written assurance that no territorial acquisitions other than those required by the safety of the fortress of Ceuta should be the outcome of the war, was only a fact in a limited sense, for the war was not undertaken for the purposes of conquest, and because Marshal O'Donnell's declaration was only calculated and intended to envelop in additional secrecy the accord which had been come to between Spain and France with regard to the war about to be commenced against Morocco. Señor Diosdado added, it would be absurd to believe that Spain need have, on any other grounds, given to Her Majesty's Government any assurance whatever, for at that time a French alliance carried great weight with it.

And, indeed, that a Franco-Spanish accord existed was made manifest the moment active operations began. Not only did a French army corps invade the Reef Country and come into serious collision with the Benissnassel tribe, thereby forcing the whole Reefian population to remain at home instead of going to the assistance of Tetuan, but also the French fleet bombarded the Moorish forts and batteries at Martine, the seaport of Tetuan, whilst the Spanish army was marching towards that place.

Señor Diosdado's second statement was to the effect that the war against Morocco was in no way undertaken in connection with Spanish policy in Morocco. Hostilities were simply resorted to, with the knowledge of France, in furtherance of the internal politics of the peninsula. Marshal O'Donnell wished to find an issue for the overflowing energy and ambition of the army and its numerous generals away from home, so Morocco had to be sacrificed. Five years' respite from "pronunciamientos" proved the wisdom of the manœuvre.

These admissions, I think, should not be lost sight of whenever Maroquine affairs are brought forward for consideration by the Spanish Government. Señor Diosdado probably only wished to show me how little dependence should be placed on the apparently successful result of diplomatic action such as that taken by Lord Russell in 1859, and thus to force acceptance of his views as to the manner in which the neutralization of Morocco should be carried out. He would not have brought forward his arguments if he had considered for a moment that I might be disposed to think that no great change had taken place in the last thirty years in Spanish internal politics, and that Spanish statesmen of the present day are not yet entirely free from French influence, as they must constantly feel that the Republican and Carlist refugee leaders across the Pyrenees can only be successfully controlled with the friendly co-operation of the French Government.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 99.

Consul Ricketts to the Marquis of Salisbury.—(Received December 4.)

(No. 25.)
My Lord,

Tunis, November 27, 1888.

I HAVE the honour to acknowledge the receipt of a despatch No. 16 in reference to a Decree of the President of the French Republic dated the 17th July, withdrawing jurisdiction in matters of land from the French Tribunals. The substance of this despatch has been communicated by me to the Resident; on a reply being received it will be duly transmitted to your Lordship.

I have, &c.
(Signed) G. T. RICKETTS.

No. 100.

Consul Ricketts to the Marquis of Salisbury.—(Received December 4.)

(No. 26. Confidential.)
My Lord,

Tunis, November 27, 1888.

I HAVE this day been informed by my Italian colleague that Dr. Spezzafogo, the physician of His Highness Tayib Bey, received a letter from his Excellency Cardinal Lavigerie, now at Rome, to this effect: that it was much to be regretted there should be such a state of enmity between France and Italy that it was necessary for the sake of peace to put an end to this state of things, and that he considered the best means of

arriving at this was through the Italians taking possession of Tripoli, which he would endeavour to obtain for them on his return to Paris; in short, from the style of this letter, it is evident that his Excellency the Cardinal is not altogether occupied with the affairs of the Church. Dr. Spezzafogo was at the same time requested to show this letter to the Italian Consul, and a copy thereof has already been sent by M. Berio to his Government.

M. Berio assured me that Italy had no designs whatever on Tripoli; he said the possession of that country would be to them a continual burden, and would not free them from the danger which they apprehended of the too close proximity of the French if established at Bizerta.

I have, &c.
(Signed) G. T. RICKETTS.

No. 101.

Mr. J. G. Kennedy to the Marquis of Salisbury.—(Received December 6, 8.20 P.M.)

(No. 50.)
(Telegraphic.)

Rome, December 6, 1888, 6.7 P.M.

YOUR telegram No. 49 of 3rd December.

Under-Secretary assures me that no communication has been received from the Sultan of Morocco. He attributes statements of French Chargé d'Affaires to systematic intrigues against Italy, of which many proofs have lately reached the Italian Government.

No. 102.

Consul Ricketts to the Marquis of Salisbury.—(Received December 7.)

(No. 27.)

My Lord,

Tunis, December 1, 1888.

I HAVE the honour to transmit herewith inclosed a Decree of the 27th November, 1888, published by the order of His Highness the Bey of Tunis, giving powers to the French Tribunals to hear and decide on suits brought by private persons against the Administration.

The Consular jurisdiction was, I believe, alone abandoned under the Order in Council of December 1883, and, consequently, as the matters spoken of in this Decree did not then form a part of the Consular jurisdiction, but were treated diplomatically, they cannot be said to have been transferred to the French Tribunals. The exercise, therefore, of such powers as those mentioned in this Decree by the French Tribunals (powers which they do not possess even by French law, the French Courts of First Instance being, I am given to understand, incompetent to judge matters concerning the Administration), would seem to be contrary to the intention of the Order in Council regulating this subject. It should also be borne in mind that, if this be permitted, these privileges derived from the Capitulations will be abolished, and British subjects will find it difficult, if not impossible, to obtain redress for their grievances, in that the officers of the Administration, knowing they are under the protection of the Courts, where delays are interminable, and the procedure expensive, will be more prone than ever to commit abuses when a claim is brought against the Administration.

According to Article 5, it would moreover appear that there is to be no recourse to the Court of Cassation. Consequently, on a judgment being given against a foreign subject, there would be no remedy through the Court of Cassation, the appeal being held final. On the other hand, however, in the event of judgment being given against the Administration, this latter would have by this Decree the right to refer to the Court of Cassation.

The publication of this Decree by His Highness the Bey would also appear to be contrary to the spirit and letter of the Italian Protocol, which says "that the new jurisdiction can only be modified with the explicit approbation of the Government of the King." In other words, a change in the jurisdiction could only be allowed if carried out by the French Government in concert with that of the King of Italy; a wise reservation, in that, if the Bey be once permitted under the advice of others to institute any changes he may think fitting, there would soon be an end of all the arrangements entered into in

1883 and 1884, and the privileges and immunities granted by the Capitulations and Treaties would ere long cease to exist.

I have, &c.
(Signed) G. T. RICKETTS.

Inclosure in No. 102.

Extract from the "Journal Officiel Tunisien" of November 29, 1888.

Décret du 23 Rabia-el-Aoual, 1306 (27 Novembre, 1888).

Louanges à Dieu.

VU le Décret du 10 Djoumadi-el-Tani, 1300 (18 Avril, 1883), portant promulgation dans la Régence de la Loi du 27 Mars, 1883, sur l'organisation de la juridiction Française en Tunisie,

Vu les Décrets du 27 Djoumadi-el-Tani, 1300 (5 Mai, 1883), et du 9 Chaoual, 1301 (31 Juillet, 1884), étendant la juridiction Française en Tunisie,

Sur le rapport de notre Premier Ministre,

Nous avons pris le Décret suivant :—

Article 1^{er}. Sont soumises aux juridictions civiles instituées dans la Régence, dans la limite de la compétence attribuée à chacune d'elles, toutes les instances tendant à faire déclarer l'Administration débitrice, soit à raison de l'inexécution des marchés conclus par elle, soit à raison des travaux qu'elle a ordonnés, soit à raison de tout acte de sa part ayant, sans droit, porté préjudice à autrui.

Doivent être portées devant les mêmes juridictions les actions intentées par les autorités administratives contre les particuliers.

Art. 2. Les affaires sont toujours réputées sommaires, et instruites comme telles devant les Tribunaux et la Cour d'Appel. Toutefois, le ministère des défenseurs n'est pas obligatoire. Les parties intéressées peuvent présenter elles-mêmes leurs observations, ou les adresser sous forme de mémoires signifiés au greffe. Dans le cas où les parties seraient représentées par un mandataire, ce mandataire ne pourra être choisi que parmi les défenseurs ou les avocats. Toutefois, les Administrations publiques seront valablement représentées par un de leurs fonctionnaires.

Art. 3. Il est interdit aux juridictions civiles d'ordonner, soit accessoirement à l'une des demandes ci-dessus, soit principalement, toutes mesures dont l'effet serait d'entraver l'action de l'Administration, soit en portant obstacle à l'exécution des règlements légalement pris par elle, soit en enjoignant l'exécution ou la discontinuation de travaux publics, ou en modifiant l'étendue et le mode d'application.

Art. 4. Il est également interdit aux juridictions civiles de connaître de toutes demandes tendant à faire annuler un Acte de l'Administration, sauf le droit pour la partie intéressée de poursuivre par la voie gracieuse la réformation de l'Acte qui lui fait grief.

Art. 5. Les décisions rendues en matière administrative seront toujours susceptibles d'appel. L'appel est suspensif. La juridiction saisie de l'appel statue en dernier ressort.

Aucun recours en cassation ne peut avoir lieu, si ce n'est pour excès de pouvoir résultant de la violation des Articles 3 et 4 ci-dessus. Dans ce cas, le recours peut être formé directement contre toute décision en premier ou dernier ressort, soit d'office, par le Ministère Public, soit, à la requête du Résident-Général, par le Ministre de la Justice. Ce recours est suspensif.

L'annulation prononcée par la Cour de Cassation est opposable à toutes les parties en cause.

Vu pour promulgation et mise à exécution,

Tunis, le 28 Novembre, 1888.

Le Ministre Plénipotentiaire Résident-Général de la
République Française,

(Signé) J. MASSICAULT.

The Earl of Lytton to the Marquis of Salisbury.—(Received December 7.)

(No. 593.)

My Lord,

Paris, December 5, 1888.

WITH reference to Sir W. Kirby Green's telegram to your Lordship No. 15, I have the honour to inform you that, although I referred incidentally to the affairs of Morocco in conversation with M. Goblet this afternoon respecting the appointment of M. Patenôtre to succeed the late M. Féraud as French Minister at Tangiers, his Excellency made no reference whatever to the reported proposal of the Sultan to bring about, at the instance of the Italian Minister, a European Conference for the purpose of securing the inviolability of Morocco territory.

I have, &c.
(Signed) LYTTON.

Sir W. K. Green to the Marquis of Salisbury.—(Received December 8.)

(No. 136. Confidential.)

My Lord,

Tangier, November 28, 1888.

IN the notices issued for attendance at the funeral of M. Féraud, the invitations, besides bearing the names of the deceased Minister's relatives, added that they were also made on behalf of the Legation, and of the Military Mission of France in Morocco ("et des membres de la Légation et de la Mission Militaire de France au Maroc").

My Spanish colleague has informed me that he purposes drawing the attention of the Government at Madrid to what he considers to be an attempt to give an official standing to the French officers lent to the Sultan as instructors of artillery, and which official standing, if admitted, would hereafter make it very difficult for Mulaï Hassan to divest himself of the services of French officers, whose constant presence at the Shereefian Court has already become most irksome to His Majesty.

Señor Diosdado at the same time explained to me that the Spanish Military Commission, which has its head-quarters at Tetuan, is in no way connected with the Spanish Legation here. It is simply engaged on geographical and topographical work, and is not permitted by him (Señor Diosdado) to work except in localities where the Sultan's authority and power are complete, and where the Moorish authorities are willing to receive it.

In conversing on the above matters with Signor Cantagalli, I was able to mention to him that I had heard from Fez that it was said that the Italian Colonel, who it appears has been somewhat successful in ingratiating himself with the Sultan, had recommended Mulaï Hassan to secure 100 Italians, who had been in the army, to drill the Moorish troops.

The Italian Minister assured me in the most formal manner that he had no knowledge of any such recommendation having been made, but he, at the same time, added confidentially that the Colonel in question had not met with his approval, for he had, in many ways, failed to act in accordance with his views as to the manner of advancing Italian interests at the Moorish Court, and of placing his acts above suspicion. Signor Cantagalli further agreed with me in thinking that an influx of Italian military men at the Shereefian Court was highly calculated to bring to a climax French jealousy and susceptibility, and thereby draw upon the Sultan most evident proofs of the displeasure of the Government of France.

I believe that the secret of the Italian Colonel's success with Mulaï Hassan may very much depend on the fact of his being a new man with a certain stock of novel ideas, interesting momentarily the Sultan; and also that His Majesty may feel a secret satisfaction in knowing that his marks of favour to the Italian are a cause of irritation to the officers of the French Mission.

I have, &c.
(Signed) W. KIRBY GREEN.

Sir W. K. Green to the Marquis of Salisbury.—(Received December 8.)

(No. 138. Confidential. Ext. 15.)

My Lord,

Tangier, November 30, 1888.

M. BOUTIRON, the French Chargé d'Affaires, called on me this evening, and, after receiving a negative reply to his inquiry whether I had any recent news from Fez, said he had thought it proper to come and draw my attention, in a most confidential manner, to manœuvres which were being practised at the Shereefian Court to the detriment of French, Spanish, and British interests.

Before proceeding to detail the extent of his information, M. Boutiron further inquired of me whether I was not aware that both Signor Cantagalli and the Interpreter of the Italian Legation, Signor Gentile, were in very frequent communication with Cid-el-Hadj Mohamed Torres, and that they were at considerable pains to cover their visits to the Moorish Commissioner for Foreign Affairs by going to his Excellency at night and entering his residence by a back door.

On my again replying in the negative, the French Chargé d'Affaires said his last question was merely intended to attach weight to the communication he was about to make to me, to the effect that news had just reached him from Fez from a source (probably the Chief of the French Military Mission) which he had every right to consider well informed, that the Sultan, acting under Italian advice, had addressed a written application to the Representatives at Tangier of the Powers constituting the Triple Alliance, to obtain the intervention of their respective Governments to bring about the meeting of a Conference, either at Berlin, Vienna, or Rome, for the purpose of securing a public declaration of the inviolability of the Marroquine dominions. The Sultan promised, in return for the service to be thus rendered him, to place himself under the entire guidance and protection of the allies.

Mulaï Hassan had been led to adopt this course, M. Boutiron was convinced, through the insidious proceedings of the Italian Government and its Agents. He had reason to know that the fears of His Majesty had been worked upon as to the secret views and intentions not only of France, but also of England and of Spain.

The French Government had ascertained that the preachings of a holy war last spring against the French in Algeria by the Derkawe Dervish at Tafilelt (see my despatches Nos. 45 and 53 of the 1st and 24th April, 1888) were the outcome of Italian action in Tripoli; and M. Boutiron also attributes the assertions of the meditated annexation of the Oasis of Figuig to an Italian source. He said the French Government had been lately much put out by the anxious manner in which the Sultan had made inquiries as to French intentions towards Figuig. No sooner had Hadj Mohamed Torres been solemnly assured by M. Féraud that the reported military preparations had no real existence than the Sultan himself wrote to the late Minister about the expected attack, and even after His Majesty had received most explicit declarations as to the falsity of the reported preparations he had sent Kaid Abd-el-Malek, Governor of Ouchda, specially to M. Féraud to make known anew to the Minister the Sultan's alarms about Figuig.

Thus, M. Boutiron continued, Mulaï Hassan is being terrorized by insinuations made against all those whom he has hitherto been accustomed to look upon as his best friends. The French are represented as ever prepared to pounce upon the fairest Moorish borders adjoining Algeria; the English are declared to have availed themselves of the Cape Juby outrage and of the Sultan's disinclination to remodel their Commercial Convention to exact undue concessions; and the Spaniards are depicted as being constantly on the look out for pretexts to increase their possessions, or even establish a Protectorate over the country.

Under the influence of these fears, Mulaï Hassan has been made to believe that the wings of the Triple Alliance can only safely shelter him; but whether the real object of having led His Majesty to make the appeal has been to attempt to bring about the Italian Protectorate of Morocco, which some six weeks ago was bruited about in the foreign press, or to so irritate French public opinion against Italy as to result without further ado in war between France and Italy, M. Boutiron was afraid would be made clear very shortly, if an immediate change of present proceedings did not take place.

The French Chargé d'Affaires also informed me that he had alluded in a general way to Italian proceedings in Morocco to Señor Diosdado, but he had not spoken to him as fully as he had to me of the light in which Spanish as well as French and English doings were being viewed by the Sultan through Italian glasses.

In response to M. Boutiron's communications, I thought it proper to say to him

that, though he was well aware of the almost daily intercourse that existed between myself and Signor Cantagalli, still I could assure him in the most formal manner that I had no knowledge whatever of my Italian colleague's asserted malevolent influence over the Moorish Government, or of his having counselled the Sultan to seek the support of the Governments constituting the Triple Alliance to secure the inviolability of the Maroquine dominions. The official intercourse between Signor Cantagalli and myself was based, as far as I was concerned, on the belief that Italian policy in Morocco was, like that of Her Majesty's Government, solely directed towards strengthening the rule of the Sultan and maintaining the territorial integrity of the Moorish Empire.

With regard to the Cape Juby outrage and the Sultan's reluctance to adopt an enlightened commercial policy being used for the purpose of raising His Shereefian Majesty's alarms and distrust of England, I could not refrain from saying to M. Boutiron that I was quite easy in my mind. The Sultan must have already convinced himself by the perusal of two notes, which I had quite recently addressed to Cid Emfadel Gharneet, of the moderation and equity with which Her Majesty's Government was prepared to treat the claims arising out of the Cape Juby case. As for the commercial negotiations between Great Britain and Morocco the Sultan had already had a sufficient experience, extending over many years, of the manner in which they were being treated by Her Majesty's Government, and of the consideration shown for the peculiar position of his country not to be led to accept too lightly insinuations tending to loosen the good understanding which has always existed between the British and Moorish Governments.

I have this day had the honour of telegraphing to your Lordship the substance of the most important portions of the foregoing Report.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 106.

Sir W. K. Green to the Marquis of Salisbury.—(Received December 10, 4.30 P.M.)

(No. 16.)
(Telegraphic.)

Tangier, December 10, 1888, 10.30 A.M.

IN connection with my telegram No. 15 of the 30th ultimo, I have to report to your Lordship that the French Chargé d'Affaires informed me last night that he had learnt from the same source at Fez that an answer had been received from Berlin in the name of the Triple Alliance to the effect that there was no objection to attempting to secure the territorial inviolability of Morocco, and suggesting that the Sultan should apply for a Conference to be convened at Rome.

The French Chargé d'Affaires is much exercised by the departure yesterday of Signor Gentile for the Moorish Court. I expressed to him the belief that it was solely connected with differences which have arisen between the Italian Legation and the military officers at Fez.

No. 107.

Sir W. K. Green to the Marquis of Salisbury.—(Received December 11.)

(No. 139.)

My Lord,

Tangier, December 1, 1888.

WITH reference to my despatch No. 118, Secret, of the 14th October last, I have the honour to report to your Lordship that I learn, through recent letters received by me from Kaïd Maclean, that the Sultan appears to have regained his usual good health.

The impression, I believe, prevails at the Court that the Viziers exaggerated the condition of Mulai Hassan with the object of putting a stop to the rumoured visit during this winter of several of the foreign Representatives to the Shereefian Court. It is, however, perfectly true that the Sultan does not occupy himself as much as formerly with the current business of State, and that the Hajeb Cid Hameb is allowed the exercise of supreme authority in nearly all the daily matters of Government.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 108.

Consul Ricketts to the Marquis of Salisbury.—(Received December 11.)

(No. 28.)

My Lord,

Tunis, December 1, 1888.

I HAVE the honour to inform your Lordship that a short time ago a raid was made from Tripoli against some of the tribes residing in the Regency.

A French detachment of 120 men, under the command of a French officer, having gone to the assistance of the Tunisian tribes, was very roughly handled, two or three having been killed and several wounded. The Sheikh of Douirat, who accompanied the French force, deserted them in the hour of danger.

The posts at Douirat, Zarghis, and other places have, I am told, been strengthened, and an attempt made to induce some of the Akara of Zarghis to leave this latter place and to pitch their tents near Djemila for the defence of the frontier; but this resolution has been declined by these people, who prefer remaining at Zarghis to changing their abode to Djemila.

Among the Tunisian tribes that left this country and are still remaining in Tripoli are the Oulad Ahmet, Oulad Khalif, and the Tuuzzin, the latter tribe being very numerous.

I have, &c.
(Signed) G. T. RICKETTS.

No. 109.

Memorandum communicated by M. Waddington, December 11, 1888.

LE Décret du Président de la République du 17 Juillet, 1888, a soulevé, de la part du Gouvernement Britannique, certaines objections qui sont exposées dans une lettre adressée le 24 Novembre, 1888, au Résident-Général de France par le Consul d'Angleterre à Tunis. D'après cette communication le Décret dont il s'agit aurait pour effet d'enlever, en certains cas, aux juridictions Françaises, la connaissance des contestations en matière immobilière concernant des sujets Anglais et de la remettre à un Tribunal Tunisien, dit "Tribunal Mixte." Or, le Gouvernement Britannique n'a renoncé à sa juridiction en Tunisie qu'à l'égard des affaires et procès ressortissant aux juridictions Françaises. Il se voit donc forcé de revenir, pour le jugement des contestations immobilières, à la procédure réglée par les Traités entre l'Angleterre et la Tunisie.

Les objections du Gouvernement Britannique proviennent d'une erreur sur la portée et même sur l'objet du Décret du 17 Juillet, 1888. Un exposé succinct de la situation juridique de la propriété immobilière en Tunisie dissiperait aisément le malentendu.

Jusqu'en 1863, les Anglais n'étaient pas autorisés à posséder des immeubles dans la Régence. Dès 1857 le Bey s'était bien engagé à leur accorder ce droit, et il avait renouvelé sa promesse en 1861, mais c'est seulement le Traité du 10 Octobre, 1863, qui, en fait, le leur a conféré. En vertu de ce Traité, confirmé par celui du 19 Juillet, 1875, les Anglais peuvent être propriétaires d'immeubles en Tunisie; toutefois, leurs droits immobiliers sont régis par la loi Musulmane, et les contestations auxquelles ils donnent lieu sont du ressort des juridictions Tunisiennes, sous la réserve:—

1. Que les citations des sujets Anglais devant ces juridictions seront signifiées par l'intermédiaire du Consul d'Angleterre.

2. Que celui-ci pourra assister aux débats du procès; et

3. Qu'il sera seul chargé de l'exécution des Jugements Tunisiens rendus contre ses nationaux.

Il est convenu, en outre, que si les contestations immobilières sont élevées entre Anglais exclusivement, il leur est loisible de les porter devant le Tribunal Consulaire Britannique.

Telle est la situation que le Protectorat Français a trouvé en 1881, en ce qui regarde non seulement les Anglais, mais les Européens de toute nationalité. Cette situation a été tout d'abord quelque peu modifiée par la suppression des juridictions Consulaires fonctionnant en Tunisie au profit des juridictions ordinaires Françaises. La renonciation du Gouvernement Britannique, à dater du 1^{er} Janvier, 1884, à sa juridiction Consulaire, n'a pas eu cependant, et ne pouvait avoir pour conséquence de changer la législation applicable aux immeubles, ni la compétence respective des juridictions Tunisienne et Européenne en matière immobilière; elle a eu simplement pour effet de transmettre aux Tribunaux

Français les pouvoirs judiciaires du Consul Britannique en cette matière comme en toute autre.

Le Consul reste chargé, comme par le passé, de la protection de ses nationaux auprès des autorités Tunisiennes; par suite, les citations à comparaître devant les juridictions Beylicales doivent toujours être signifiées par son intermédiaire, et il continue à jouir de la faculté d'assister aux débats du procès. Par contre, il appartient désormais aux autorités judiciaires Françaises d'exécuter les Jugements rendus par les juridictions Tunisiennes contre des Anglais, et les contestations immobilières, dans lesquelles des Européens seuls sont en cause, sont déferées aux Tribunaux Français qui statuent conformément à la loi Musulmane. Telles sont les règles de compétence et de procédure résultant pour les Anglais du Traité du 10 Octobre, 1863, combiné avec l'Ordre en Conseil du 31 Décembre, 1883.

Le Gouvernement de la République n'a pas pensé que ces règles offrissent aux Européens des garanties suffisantes, et il a cru de son devoir d'user de l'influence qu'il avait acquise sur le Gouvernement Beylical pour en obtenir que leurs droits immobiliers fussent régis par une législation plus précise et plus perfectionnée que la loi Musulmane, et aussi que les contestations auxquelles ces droits pourraient donner lieu ressortissent uniquement, pour le jugement comme pour l'exécution, aux juridictions Françaises. Par Décret du 31 Juillet, 1884, le Bey s'engage à accomplir cette double réforme. Les multiples et difficiles problèmes qu'elle soulevait ont été étudiés et résolus par une Commission composée des hommes les plus compétents de la Régence, sans distinction de nationalité. La Loi de 1^{er} Juillet, 1885, est le fruit de leurs travaux. Cette Loi a emprunté au Code Civil Français, sauf des modifications de détail, la réglementation de la propriété immobilière et de ses démembrements, et aux législations Australiennes le système de la publicité absolue des droits immobiliers. Se conformant en outre à une autre disposition des *Lois Australiennes*,* elle laisse chacun libre de soumettre ses propriétés à la nouvelle Loi, en les *immatriculant*, ou de les laisser sous l'empire du régime ancien et de droit commun. Les contestations portant sur des propriétés immatriculées ressortissent uniquement aux juridictions Françaises; celles relatives à des propriétés non immatriculées continuent à être soumises aux juridictions Tunisiennes dans les conditions fixées par le Traité du 10 Octobre, 1863, à moins qu'intéressant *exclusivement* des Européens, elles puissent être portées devant les Tribunaux Français statuant d'après la loi Musulmane.

Le Tribunal Mixte qui soulève les objections du Gouvernement Britannique, est l'autorité chargée de procéder aux immatriculations; il ne constitue pas, comme semble le croire le Consul d'Angleterre à Tunis, une juridiction proprement dit, du moins à l'égard des Anglais. Les attributions d'ordre purement administratif et nullement judiciaire, ressemblent à celles qui sont conférées par les lois Australiennes au Registrar-General assisté du maître des titres, quoiqu'elles soient moins étendues. Le Tribunal Mixte conduit les procédures d'immatriculation. Si des oppositions à l'immatriculation sont soulevées par des Anglais, il appartient à ceux-ci de les porter devant les juridictions Françaises; en ce cas le Tribunal Mixte suspend la procédure et attend la décision judiciaire. Les pouvoirs contentieux ne s'imposent qu'aux indigènes.

En résumé, les propriétés immobilières des Anglais en Tunisie peuvent, à leur gré, être placées dans deux situations différentes: ou elles sont immatriculées et elles jouissent de toutes les garanties qu'offrent la Loi du 1^{er} Juillet, 1886, et la *juridiction Française*; ou elles ne le sont, pas et dans ce cas, le Consul d'Angleterre dispose, pour les protéger, de tous les droits qui lui ont été conférés par le Traité du 10 Octobre, 1863, combiné avec l'Ordre en Conseil du 31 Décembre, 1883. C'est bien à tort que le Gouvernement Britannique croit avoir besoin de revendiquer aujourd'hui l'exercice de ces droits pour son Consul à Tunis; il n'en a jamais été privé.

La portée du Décret du Président de la République du 17 Juillet, 1888, semble avoir été absolument méconnue par le Gouvernement Britannique. Loin de retirer aux juridictions Françaises la compétence en matière immobilière, il la leur confère expressément sur les propriétés immatriculées par son Article 1^{er} et son Article II, en attribuant une valeur absolue aux énonciations des titres de propriétés, étendant à la Tunisie et consacrant le principe fondamental et bienfaisant des législations immobilières Australiennes.

* "Real Property Act, 1861," South Australia.

† Sic.

No. 110.

The Marquis of Salisbury to M. Waddington.

Dear M. Waddington,

Foreign Office, December 12, 1888.

I HAVE examined the papers in this Office with reference to the recent Decree in Tunis as to what Tribunal has jurisdiction in the question of real estate, and the action taken by Her Majesty's Government thereupon.

I find that Consul Ricketts was directed to inform the French Resident in Tunis that England must of course revert to her Treaty rights in the question of real property until the French Courts were invested *de novo* with the jurisdiction over them, those Tribunals having by the Decree just issued been deprived of their jurisdiction; and I find that Consul Ricketts, in reply, under date of the 27th November, informed me that the substance of that despatch had been communicated by him to the Resident. No direction was given by me for Consul Ricketts to state his case in concert with, or at the same time as, the Italian Consul, nor does he report to me that such was the case. If, therefore, the simultaneous presentation has actually taken place it must have been an accident.

Believe me, &c.

(Signed) SALISBURY.

No. 111.

Consul Ricketts to the Marquis of Salisbury.—(Received December 13.)

(No. 29. Confidential.)

Tunis, December 5, 1888.

My Lord,

A FEW days ago the Resident asked me to breakfast. M. Benoît, the Secretary and legal adviser, was also there.

After breakfast the Resident said: "Well, Consul, you appear to be coming into conflict with us." I said I was not aware of it. He then continued: "we are going to answer your note about the Decree of the 17th July, and you will find that it will be upset." He then turned to M. Benoît, his Secretary, and asked him to explain matters. M. Benoît said that British subjects can still apply to the French Tribunals in land cases by the new Decree published.

I remarked: "I suppose you allude to the Decree of the 6th November, where this right is admitted under the condition that the claim is made before going into the Mixed Tribunal, two months only being admitted as the time for bringing a claim prior to registration; but what happens if a Maltese subject, being at Malta, returns after three or four months and finds his land registered in some other person's name? He has no appeal by your Decree of the 17th July; he loses his property." The Resident replied: "It is true," and, turning to M. Benoît, he observed: "A fine advocate you are."

I then said: "But this is not the only point in which there is a difference. The chief thing is that you have withdrawn the jurisdiction of your own Court, which stood in the place of the Consul, and transferred our subjects to the jurisdiction of a Mixed Court, half Arab, half French." To this he answered: "Oh! that makes no difference; is it not better than the 'Sharâa'?" I said: "The 'Sharâa' is by Treaty subject to supervision, from which there is an appeal; from this new Court there is no appeal. Her Majesty's Government would not like to see British subjects placed at its mercy. How, also, is it possible for any ordinary person to understand your Law on registration, which contains some 380 paragraphs?" The Resident seemed amused, and M. Benoît said to him: "Well, what becomes of your Law on registration—it tumbles to pieces."

After some further remarks, they said they would see what could be done to rectify this state of things.

Colonel Playfair, who had just arrived from Algiers, was present at this conversation.

I have, &c.

(Signed) G. T. RICKETTS.

Inclosure in No. 111.

Extract from the "Official Journal" of Tunis of November 8, 1888.

Loi du 2 Rabia-el-Aoual, 1306 (6 Novembre, 1888).

Louanges à Dieu.

VU la Loi du 19 Ramadan, 1302 (1^{er} Juillet, 1885), modifiée par la Loi du 12 Chaban, 1303 (16 Mai, 1886) sur la propriété foncière,
Sur le rapport de notre Premier Ministre,

Nous avons Décrété ce qui suit :

Article Unique.—Les Article 22, 26, 36, et 295 de la Loi du 19 Ramadan, 1302 (1^{er} Juillet, 1885), modifié par la Loi du 12 Chaban, 1303 (16 Mai, 1886), sur la propriété foncière, sont abrogés et remplacés par les dispositions suivantes :—

Article 22. L'immatriculation est facultative.

Peuvent seuls requérir l'immatriculation :—

1. Le propriétaire et le co-propriétaire ;
2. L'enzeliste et le co-enzeliste ;
3. Les détenteurs des droits réels énumérés dans l'Article 13 de la présente Loi, autres que la propriété et l'enzel, ceux-ci avec le consentement du propriétaire, ou du co-propriétaire, ou de l'enzeliste ou du co-enzeliste pour les immeubles tenus à enzel.

Les frais de l'immatriculation sont supportés par celui que la requise.

Article 26. Dans les deux mois qui suivront cette insertion, le Juge de Paix, ou son délégué, après avoir prévenu le Caïd, procédera au bornage provisoire de l'immeuble, conformément aux limites indiquées par la déclaration, en présence du requérant l'immatriculation ou lui dûment appelé, sans s'arrêter aux protestations qui pourraient se produire, mais qui seront toujours consignées au procès-verbal. Il pourra requérir, s'il y a lieu, l'assistance de la force publique.

La date fixée pour cette opération sera portée à la connaissance du public au moins vingt jours à l'avance et le procès-verbal de bornage constatera les diligences faites à cet effet.

La date de la clôture sera publiée sommairement au "Journal Officiel" Arabe et Français.

Article 36. Dans le cas où une opposition à une immatriculation serait formée par un justiciable des Tribunaux Français, il sera loisible à ce dernier de la porter devant la juridiction Française, pourvu qu'il le fasse avant toute défense au fond devant le Tribunal Mixte et pourvu que l'instance soit fondée sur un droit existant entre ses mains avant l'insertion au "Journal Officiel" de la déclaration d'immatriculation.

Auquel cas le Tribunal Mixte sursoiera à statuer sur l'admissibilité de la demande à fin d'immatriculation, jusqu'après décision, passée en force de chose jugée, du Tribunal compétent.

Article 295. La vente forcée des immeubles ne peut être poursuivie qu'en vertu d'un titre exécutoire pour une dette certaine et liquide. Si la dette est en espèces non liquidée, la poursuite est valable ; mais l'adjudication ne pourra être faite qu'après la liquidation.

Vu pour promulgation et mise à exécution,
Tunis, le 7 Novembre, 1888.

Le Ministre Plénipotentiaire-Résident-Général
de la République Française,
(Signé) J. MASSICAULT.

No. 112.

Sir W. K. Green to the Marquis of Salisbury.—(Received December 13.)

(No. 140. Confidential.)
My Lord,

Tangier, December 4, 1888.

WITH reference to the allusions contained in my despatch No. 138, Confidential, of the 30th ultimo, concerning the use said to have been made by Italian Agents in this country of the Cape Juby outrage for the purpose of raising the Sultan's alarms as to the exacting attitude that would be assumed towards Mulaï Hassan by Her

Majesty's Government, I venture to state to your Lordship that though I had no knowledge of Signor Cantagalli or the Italian military officers at Fez having acted in the manner described by M. Boutiron, still I could neither say that there might not be some foundation for the statement.

On the contrary, I must admit to your Lordship that my Italian colleague appeared to take from the very commencement the greatest interest in the Cape Juby outrage, and that he had since periodically questioned me as to what I thought would be the outcome of it. In fact, so much interest did Signor Cantagalli evince in the matter that he raised in me the suspicion that he wished, in some way or another, to make political capital out of it. It was principally this impression which caused me to mention in my private and confidential note to Cid Emfadi Gharnit (Inclosure No. 2 in my despatch No. 11, Africa, of the 11th ultimo) that the intervention of no foreign Representative in Tangier need be sought for with the object of facilitating a settlement of the Cape Juby claims.

But it affords me considerable satisfaction to be now able to report to your Lordship that this morning an opportunity offered for me to obtain from my Italian colleague a most complete refutation of the insinuations made to me that he had been availing himself of the claims which might be the outcome of the Cape Juby outrage to indispose the Moorish Government towards British interests and influence in this country.

During my visit to Signor Cantagalli to-day he mentioned that he was thinking of sending Signor Gentile, the Interpreter of the Legation, to Fez, in order to put an end to an unpleasantness which had arisen through the Italian Colonel attached to the Shereefian Court having overstepped his duties, and led the Sultan to meditate intrusting him with an Imperial letter for the King at Rome and another for Signor Crispi. My colleague thought that such a mission should not be confided to the Colonel, and that the Italian Minister here could be the only intermediary in communications passing between the Sultan and the Sovereign and Government at Rome.

In answering Signor Cantagalli I felt that I ought to give him an opportunity of learning that rumours had reached me of his being engaged in opposing not only British, but also French and Spanish interests at the Moorish Court. I therefore said that I feared that Signor Gentile's dispatch to Fez would give additional currency to existing reports of active Italian manoeuvres in this country against the Governments which did not form part of the Triple Alliance. I even told my colleague that he had been denounced to me as working against the settlement of the Cape Juby claims which I had lately submitted to the Shereefian Government, an accusation which, however, I had felt bound to meet with the declaration that, as far as I was concerned, I had every reason to believe was unfounded, for I understood the Italian Representative was following, under instructions, a policy entirely in accord with that of Her Majesty's Government, and which policy was the strengthening of the Shereefian rule and the maintenance of the territorial integrity of the Maroquine dominions.

Signor Cantagalli expressed the greatest astonishment at the existence of the rumours mentioned by me. He denied having had, directly or indirectly, any intercourse with Cid-el-Hadj Mohamed Torres except on current affairs of the Legation. As for the Cape Juby outrage, he assured me that he had never alluded to it, either verbally or by writing, to the Moorish Government. He had from time to time reported to Rome what he learnt from me on the subject, under the impression that all foreigners in this land were interested that an outrage of the nature of that perpetrated on the servants of the North-West African Company should not go unpunished.

Shortly after I had left Signor Cantagalli he wrote me the note of which the inclosed is a copy, and for which I thanked him in warm terms, though I did not feel authorized to let him know that the French Chargé d'Affaires had been my informant as to his alleged proceedings with the Moorish Government.

I have, &c.
(Signed) W. KIRBY GREEN.

Inclosure in No. 112.

Signor Cantagalli to Sir W. K. Green.

My dear Sir William,

Tangier, December 4, 1888.

I AM still thinking of the unexpected revelation you made to me just now. I seek not to know who your informant may be; I can guess, and do not care.

One thing, however, I hold it necessary to be made evident, and that is that I have not, not any time, so far from intriguing against you, even as much as spoken of the matter of the Cape Juby to any colleague, so much less to the Moorish authorities, and I can give you, most formally, a declaration that none of my subordinates ever have done it. I have at all times, and most thankfully, received information from, very useful for me, most willingly given by yourself.

Whatever others may think, my ideas about diplomacy are that I should have grossly abused of the intimacy you have allowed me to establish with you had I proceeded to use my influence, whatever I may possess of it, to counteract your actions in this business or any other. Had I been so circumstanced as to remain indifferent or to act contrary to your desire, I should have told you beforehand.

I write you, against even all customary practice, that this paper of mine may remind you in future of the perfect straightforwardness of my conduct. Keep it and send it home if you think it necessary. Whatever change in the feeling of my Government in regard to this country may be brought about (and I do not foresee the possibility of it), and consequently influence my own conduct, I shall be the same truthful and sincere colleague [?].

You should have told me before of all this, allow me to say it. As a punishment, read this letter and ruin your eyes over it.

Believe me, &c.
(Signed) CANTAGALLI.

No. 113.

Mr. J. G. Kennedy to the Marquis of Salisbury.—(Received December 13, 8 P.M.)

(No. 51.)

(Telegraphic.)

Rome, December 13, 1888, 5.20 P.M.

YOUR Lordship's telegram No. 50.

Under-Secretary of State for Foreign Affairs and Ambassadors of Austria and Germany deny all knowledge of any communication from Sultan of Morocco to their respective Governments.

No. 114.

Sir W. K. Green to the Marquis of Salisbury.—(Received December 17.)

(No. 141. Confidential.)

My Lord,

Tangier, December 7, 1888.

WITH reference to Mr. Kennedy's communications to your Lordship from Rome (No. 14 and Nos. 12 and 13, North Africa Print, Sections Nos. 467 and 468) regarding the request of the Marquis Vega de Armijo for Italian support to obtain a district in Morocco, arising out of the Treaty of Tetuan, perhaps I may be allowed to draw your Lordship's attention to Sir John Drummond Hay's despatch to Earl Granville No. 89 of the 27th October, 1883, whereby your Lordship will observe that the Sultan had offered to cede to the Spanish Government the site of Ifny as the equivalent of Santa Cruz de Mar Pequeña, acquired under Article VIII of the Treaty of Peace between Spain and Morocco in 1860.

To day a most favourable opportunity having been offered me by Señor Diosdado to question him as to the actual position of the cession of Ifny, he informed me that when the Marquis of Vega de Armijo was last in office in 1883 Ifny was formally ceded to Spain, but, that on his pointing out to the Marquis that before taking possession of the locality it would be prudent to ascertain whether the cost of the contemplated establishment would meet with an adequate return, the whole project was left in suspense, and that, as far as he (Señor Diosdado) knows, it has not been raised since.

I must, however, here state to your Lordship that Señor Diosdado's disclaimer of all knowledge as to a resumption of the definitive occupation of Ifny was given in so personal a tone that I was led to conclude that he wished me to understand that it is not altogether impossible that the Spanish Minister has reverted to the wish he entertained in 1883 of realizing the advantage gained by Spain under the Treaty of Peace of 1860.

If Señor Diosdado's opinion of the utter worthlessness of Ifny or any other point on that part of the Moorish coast is finally accepted by the Spanish Government, I should not be surprised to hear some day of an attempt being made to obtain in exchange for Ifny from the Sultan some other place on the northern shores of Morocco.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 115.

Sir W. K. Green to the Marquis of Salisbury.—(Received December 17.)

(No. 142. Confidential. Ext. 16.)

My Lord,

Tangier, December 10, 1888.

LAST night M. Boutiron called on me to inquire whether I could furnish him with any explanation of the dispatch to the Sherrefian Court at Fez of Signor Gentile, the Interpreter of the Italian Legation.

The French Chargé d'Affaires said he understood Signor Cantagalli had informed all his other colleagues of Signor Gentile's intended departure, therefore it was natural to suppose that he (M. Boutiron), being excluded from this confidence, should infer that the dispatch of the Italian official to the Moorish Court was connected with some object unfavourable to France.

I observed to M. Boutiron that I had no reason to think that the Italian Minister had intentionally refrained from letting him know of Signor Gentile's going to Fez, for I believed it was solely connected with a matter touching the administrative relations of the Italian Legation with the Italian military officers at the Sultan's Court. M. Boutiron admitted that this might be so, as he had heard of certain financial projects of Colonel Bregoli not precisely of a nature in which an officer still in the active service of his own Government should engage.

I then inquired of the French Chargé d'Affaires whether he had obtained any confirmatory news of the Sultan's desire for a European Conference; to which he replied that his information was still of a Moorish source, though it purported now to give an account of the view taken at Berlin of Mulaï Hassan's application. In fact, M. Boutiron was assured, the German Government had replied, not only in its own name, but also for Austria-Hungary and Italy, that it saw no objection for an endeavour to be made to secure the inviolability of Moorish territory, and that, therefore, the Sherrefian Government would do well to open negotiations for having the desired Conference convened at Rome.

I have had the honour of telegraphing this day the substance of the foregoing to your Lordship.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 116.

Mr. J. G. Kennedy to the Marquis of Salisbury.—(Received December 17.)

(No. 320. Ext. 50.)

My Lord,

Rome, December 6, 1888.

WITH reference to your Lordship's telegram No. 49 of the 3rd ultimo, I have the honour to report that Signor Damiani to-day informed me that no communication had been received by the Italian Government from the Sultan of Morocco.

He attributes the statements of the French Chargé d'Affaires to a system of intrigues against Italy, of the existence of which the Italian Government have lately had many proofs.

I have, &c.
(Signed) J. G. KENNEDY.

No. 116*.

Mr. J. G. Kennedy to the Marquis of Salisbury.—(Received December 17.)

(No. 328. Confidential.)

My Lord,

Rome, December 13, 1888.

WITH reference to the telegrams which I had the honour to send to your Lordship on the 6th instant and this day, Nos. 50 and 51, I beg to report that the Ambassadors of Austria and Germany, and the Under-Secretary of State for Foreign Affairs, have all given me positive assurances that they have no knowledge of any communication whatever addressed recently by the Sultan of Morocco to Berlin, Vienna, or Rome.

Count Solms was good enough to read to me despatches written during the month of November last by the German Minister at Tangier, reporting conversations with his British colleague respecting French designs in Morocco, and both his Excellency and Signor Damiani alluded to the long-cherished designs of the French Government to annex the fertile oasis of Figuig, through which they hope to open communication with Senegal and the Atlantic seaboard from Algeria, and to possess themselves of the southern portion of the Empire of Morocco.

Signor Damiani further said that the Spanish Government did not pursue a very straightforward policy in regard to Morocco, and that their action in that country should be carefully watched, the more so as they were capable of coming to an understanding with France as to a common policy towards the Sultan.

As regards the journey to Fez of Signor Gentile, reported to your Lordship in Sir Kirby Green's telegram No. 16, Signor Damiani states that it has been undertaken under instructions in order to verify the truth of the alarming reports respecting the state of the health of the Sultan.

I have, &c.
(Signed) J. G. KENNEDY.

No. 117.

Mr. J. G. Kennedy to the Marquis of Salisbury.—(Received December 17.)

(No. 327. Ext. 51.)

My Lord,

Rome, December 13, 1888.

WITH reference to your Lordship's telegram No. 50 of the 11th instant, repeating one from Her Majesty's Representative at Morocco on the subject of the alleged communications between the Sultan and the Governments that form the Triple Alliance, I have the honour to report that the Ambassadors of Germany and Austria both assure me that they have no knowledge of any such communication.

I have, &c.
(Signed) J. G. KENNEDY.

No. 118.

Sir C. Ford to the Marquis of Salisbury.—(Received December 19.)

(No. 158.)

My Lord,

Madrid, December 16, 1888.

I HAVE the honour to inform your Lordship that at an interview I lately held with the Marquis de la Vega de Armijo, the Spanish Minister of State, his Excellency informed me that he was anxious to speak to me on a subject of some importance. It referred, he said, to the language which had been used by a certain newspaper published by an Englishman in Tangier, containing anything but complimentary remarks with respect to a certain foreign official stationed in that city.

On my inquiring of his Excellency to whom he alluded, he said that Señor Lozano, the Spanish Consul at Tangier, had been made the object of a violent attack on the part of an English newspaper, that he had complained thereon to the British Consul in Tangier, and had been told that his remedy, if he sought redress, was through the British Consular Court at Tangier.

To such a proceeding the Spanish Consul seems to have demurred, on the plea that it would be inconvenient to establish the principle that the Consular Agents of foreign

Powers should, when litigious cases arose, appear as plaintiffs in the Courts respectively presided over by their colleagues.

The Marquis de la Vega de Armijo then went on to say that it struck him as very strange that foreign newspapers should be tolerated in a country where there existed no press laws, and he informed me that he had, through the Spanish Ambassador in London, brought Señor Lozano's case before your Lordship, but that no reply on the subject had as yet been received from your Lordship.

He, therefore, begged me to bring the matter again to your Lordship's notice.

I replied that I should be happy to meet his Excellency's wishes in any way, but that I considered that any attempt to suppress the foreign press in Tangier would be met with insurmountable difficulties. As regarded, I said, any attacks made by such papers against foreigners, which might amount to a libellous character and be open, consequently, to legal proceedings, I knew of no other means, if the libel had been made by an Englishman in Tangier, of obtaining redress, than by appearing before the British Consular Court in that city.

As regarded the convenience or inconvenience of a foreign Consular officer following such a course, I could offer no opinion.

I inquired of the Marquis whether he would furnish me with any details concerning this particular case, and he replied that he could neither recall the name of the newspaper nor the nature of the attack which had been made on the Spanish Consul, but that he would institute inquiries into the matter and let me know.

His Excellency, since our interview, furnished me with a document, which he styles a *pro-memoria*, and a translation of which I have the honour to inclose herein.

It appears that the article complained of was published on the 12th August last in a newspaper called the "*Africana*," the author of which is alleged to be a British subject named Hanglin.

I did not enter into any discussion with the Marquis de la Vega de Armijo as to the attributes of the British Consular Court at Tangier, but it is in my recollection that on a question being asked in the House of Commons by Mr. McArthur on the 22nd August last year, Sir James Fergusson stated that the British Consular Court at Tangier has power to apply generally the Criminal Law of England where British subjects are charged with any crime or offence.

Sir James Fergusson further stated that a new Order in Council regulating British jurisdiction in Morocco was at the present time under consideration, and would be shortly issued.

It appears to me, then, that if Señor Lozano, for reasons of his own, refuses to have recourse to the sole tribunal which could afford him legal redress, he has only himself to thank if he does not obtain that justice which he considers himself entitled to.

Your Lordship will observe that the Marquis de la Vega, in his Memorandum appears to assume that, "of the five newspapers published in Morocco, all belong to British subjects, by whom they are edited."

I cannot say how far the Marquis may be correct in making such a statement, which seems to me somewhat inaccurate.

For instance, I believe the "*Reveil du Maroc*" is the reputed organ of the French Legation in Tangier, and whilst on the subject of newspapers in Morocco, the inclosed copy of an extract from the "*Times of Morocco*" of the 31st December, 1886, may be read with interest by your Lordship.

I believe the owner of the "*Times of Morocco*," which is published weekly in Tangier, is Mr. Heneage, who was in the year 1872 a Secretary of Her Majesty's Embassy at St. Petersburg.

I have, &c.
(Signed) FRANCIS CLARE FORD.

Inclosure 1 in No. 118.

Memorandum.

(Translation.)

THE Tangier newspaper, the "*Africana*," of the 12th August this year, published an article abusing and censuring certain judicial acts of the Spanish Consulate of that town.

The Spanish Consul, Señor Lozano, officially complained to the British Consul of the author of the article, who is a British subject named Mr. Edward Hanglin, a native

of Gibraltar, in order that he might, according to the invariable custom in like cases there, take notice of and try the case.

After several private meetings and various communications which passed between the two Consulates, the result was that the British Consul demanded that, in order to try the case, the Spanish Consul must appear in his Court and submit himself, for the time being, to the English laws and proceedings; just as if it was a question of the claim of some private individual, or of some foreign official in British territory.

The consequences that such a proceeding would entail in such a country as Morocco, obliged Señor Lozano to disregard the claim set up by Mr. White, informing him officially and verbally of the inconveniences that presented themselves to his appearing in the Court of the British Consulate; but none of his arguments could convince the British Consul, who, as he says, in spite of his desire to the contrary, cannot find, neither in the letter nor in the spirit of the English laws, any exception whatever: which, however, all the other Consuls in Morocco always find in similar cases.

Neither the action taken by the Spanish Minister in Tangier, nor those taken recently by Señor Mazo in London, have obtained the result so justly anticipated by the Spanish Government, which is that the offence complained of should be judged, and not remain unpunished, as so many others that have been committed against morality, family ties, and both native and foreign officials; which have been perpetrated by the newspaper, the "Africana," without fear of refutation on the part of other foreign newspapers, inasmuch as the five papers published in Morocco belong to British subjects, by whom they are edited.

On the other hand, the Spanish Government do not believe that Her Majesty's Government will maintain the principle that a foreign authority in a foreign country is obliged to submit himself to a foreign Court; and wishes, therefore, that instructions should be given to Consul White which will conduce to a prompt settlement of this disagreeable question.

The Spanish Government, on this account, calls the attention of Her Majesty's Government to the advisability of adopting in Morocco some definitive means of putting a stop to the abuses of a daily press which, besides being illegal in that Empire, constitutes a danger to persons, and even a danger to the political interests of nations.

Inclosure 2 in No. 118.

Extract from the "Times of Morocco" of December 31, 1886.

THE PRESS.—We are glad to be able to record the fact that a third printing press has been brought here during the year, from which is issued "El Eco Mauritano" in Spanish, which has done, and is doing still good work.

Another paper was started, "Le Commerce au Maroc" (printed in Oran) in French, but it is now dormant.

During last summer strenuous efforts were made by members of the Diplomatic Body to obtain powers either to gag or stop the press, but the Representatives of America and Portugal stood out manfully against such a retrograde movement, and eventually the matter dropped.

We are glad to be able to record the fact that both Ministers were highly commended by their respective Governments for the attitude which they had assumed in the affair.

No. 119.

M. Catalani to the Marquis of Salisbury.—(Received December 19.)

(Translation.)
My Lord,

Italian Embassy, 20, Grosvenor Square,
December 16, 1888.

I COMMUNICATED to my Government the letter your Excellency did me the honour to address to me on the 17th ultimo, in which you informed me that you had instructed the English Consul in Tunis to state to the French Resident that, if competence in matters of real property, taken from the French Courts by a recent Decree of the President of the Republic, were not restored to them, England would avail herself of her right to re-establish her own Consular jurisdiction in the Regency.

His Excellency the Cavaliere Crispi charges me to offer to your Excellency his best

thanks for this communication, and to transmit to you the accompanying translation of a despatch sent by him on the 5th instant on the same subject to His Majesty's Consul-General in Tunis.

I have, at the same time, the honour to ask your Excellency, should you think fit so to do, to inform me of the further course of this matter, so that the two Governments may continue to act together on a question which is of equal interest to both.

I have, &c.
(Signed) T. CATALANI.

Inclosure in No. 119.

M. Crispi to M. Berio.

(Traduction.)

(Télégraphique.)

Rome, le 5 Décembre, 1888.

LE Chargé d'Affaires du Roi à Londres m'a informé que Lord Salisbury a donné au Consul Britannique à Tunis l'instruction de déclarer au Résident Français ce qui suit: "Par Ordonnance Royale en date du 31 Décembre, 1883, la juridiction Consulaire Britannique a été supprimée pour les matières et les causes sujettes à la juridiction des Tribunaux Français. Or, ces Tribunaux ayant été privés, par Décret Présidentiel du 26 Juillet dernier, de la juridiction exercée par eux dans les causes immobilières, l'Angleterre doit naturellement reprendre ses propres droits conventionnels jusqu'à ce que les Tribunaux Français ne soient nouvellement investis de la juridiction dont il s'agit, à défaut de quoi les sujets Britanniques seraient soumis, pour les causes susénoncées, à la juridiction absolue et exclusive des Tribunaux Indigènes."

À la vérité, il ne paraîtrait pas évident que le Décret précité du Président de la République Française, ayant en vue de dissiper un doute élevé à la suite de l'institution du Tribunal Mixte pour l'immatriculation des immeubles, ait soustrait aux Tribunaux Français de la Régence la juridiction sur les causes immobilières; ce qui est certain, toutefois, c'est qu'en vertu de ce Décret, on a donné une nouvelle force au principe de la souveraineté absolue au Tribunal Mixte, principe qui résultait déjà de l'irrévocabilité de ses décisions établie par l'Article 37 de la Loi du 12 Juillet, 1885, et qui devient aujourd'hui encore plus accentué par l'obligation, imposée aux Tribunaux Français, d'accepter aveuglément, comme unique point de départ de leurs sentences dans les questions de propriété, les titres formés en base de ces décisions du Tribunal Mixte.

Or ce Tribunal, créé par le Bey avec la Loi précitée du 12 Juillet, 1885, étant une Magistrature indigène, la souveraineté absolue qui lui est ainsi attribuée est de tous points contraire au Traité du 8 Septembre, 1868, en vigueur entre l'Italie et la Tunisie, où il est clairement stipulé, à l'Article XXII, qu'en cas de procès portant un des immeubles, entre un Italien et un indigène, l'autorité judiciaire locale sera, il est vrai, compétente, mais que le perdant conservera toujours le droit d'appel à la Magistrature compétente et jusqu'au Tribunal Suprême du Bey.

Il est vrai que par l'Article 36 de la Loi susmentionnée, Article non dérogé par le Décret Présidentiel, on paraît avoir voulu tenir compte de l'autre garantie également stipulée dans le Traité de 1868 (Article précité) du renvoi facultatif du différend au Tribunal Consulaire, en ce qu'il est donné faculté à l'adversaire de décliner la compétence du Tribunal Mixte et de faire porter le procès par-devant les Tribunaux Français (succédés aujourd'hui aux Consulaires) lorsqu'il s'agit de personnes soumises à la juridiction Française; il ne paraît pas toutefois que la même faculté est accordée à celui qui a un différend avec un indigène: par conséquent, en ce cas, un sujet Italien, contrairement aux dispositions de notre Traité, se trouverait privé de tout droit d'appel ou de renvoi.

Pour ces motifs, je vous ai autorisé, par mon télégramme du 1^{er} Décembre, d'entrer dans un échange d'idées à cet égard avec votre collègue Britannique, et de faire, *mutatis mutandis*, une Déclaration analogue à celle qu'il a faite au Résident de France.

No. 120.

The Earl of Lytton to the Marquis of Salisbury.—(Received December 20.)

(No. 46.)

(Telegraphic.)

Paris, December 20, 1888.

FRENCH Resident at Tunis was informed by Italian Consul on the 17th instant that Italy is strongly and specially supported by England in following demands:—

1. Establishment by Italian Government of public as distinguished from private schools at Tunis.

2. Refusal of all inspection not spontaneously solicited by Italian Consuls.

3. Exemption from Tunisian Law of all private Associations if presided over by Italian Consul.

France does not object to new private schools, but denies right of Italian Government to establish State schools as if on Italian territory. She is willing to limit inspection to sanitary purposes in concert with Italian Consul, but not to make it dependent on Consul's demand. She regards position claimed for private Associations as incompatible with Capitulations, contrary to terms of Franco-Italian Treaty, and totally subversive of French Protectorate.

I am asked if statements of Italian Consul as to England's support of these demands is correct. French Government believes them to be disapproved by Germany and Austria.

No. 121.

The Marquis of Salisbury to the Earl of Lytton.

(No. 21.)

(Telegraphic.)

Foreign Office, December 21, 1888, 4.30 P.M.

YOUR telegram No. 46.

Her Majesty's Government have not supported demands on which they are not prepared at present to express an opinion.

No. 122.

The Marquis of Salisbury to the Earl of Lytton.

(No. 562. Ext.)

My Lord,

Foreign Office, December 21, 1888.

IN reply to your Excellency's telegraphic despatch of the 20th instant in regard to the attitude assumed by the Italian Consul at Tunis with respect to Italian schools in the Regency and the rumoured support given thereto by Her Majesty's Government, I have to inform your Lordship that Her Majesty's Government have not taken any action in support of the Italian demands on which they are not at present prepared to offer an opinion.

I have this day communicated to your Excellency the substance of the foregoing by telegraph.

I am, &c.
(Signed) SALISBURY.

No. 123.

The Marquis of Salisbury to Sir Clare Ford.

(No. 168. Secret.)

Sir,

Foreign Office, December 21, 1888.

WITH reference to Mr. Kennedy's telegram No. 45, Most Secret, of the 15th ultimo, I transmit, for your Excellency's information, the accompanying copies of Memoranda respecting the position of Santa Cruz la Pequeña,* and I have to state to you that, for the present, Her Majesty's Government do not consider it necessary to express any opinion on the claim which the Spanish Government are understood to be now pressing on Morocco.

I am, &c.
(Signed) SALISBURY.

* December 20, 1877; and No. 96.

No. 124.

The Earl of Lytton to the Marquis of Salisbury.—(Received December 22.)

(No. 613.)

My Lord,

Paris, December 20, 1888.

SOME days ago Count Hoyos informed me that, in his last interview with the French Minister for Foreign Affairs, M. Goblet had expressed great surprise and anxiety in reference to a recent announcement by the Italian Government of its intention to open new schools at Tunis, under conditions and on a footing which the French Government could not possibly regard as admissible, and which appeared expressly designed to reopen, in an aggravated form, the disputes arising out of the late Beylical Decree, which he (M. Goblet) had done his utmost to close by concessions that could not be exceeded without a complete abandonment of the French Protectorate at Tunis.

My Austrian colleague intimated to me that this step on the part of Signor Crispi was regarded as untimely and unjustifiable by the Austrian Government, which would, he had no doubt, be joined by that of Germany in the endeavour to restrain the combative activities of the Italian Prime Minister.

Yesterday afternoon, when I had occasion to see M. Goblet upon other matters, his Excellency referred to the above-mentioned circumstance, observing that he was glad to have the opportunity of explaining to me the exact state of the case, because he found it difficult to believe that the Government of Italy can have received from Her Majesty's Government the unreserved encouragement and active support on which it professes to be acting in reference to the demands now put forward by it.

His Excellency said that, having given to the Italian Government the assurance that no attempt would be made to apply to existing Italian schools at Tunis the Beylical Decree against which that Government protested, he had trusted that, in the absence of any practical grievance, the attitude of Italy would now be in accordance with the confidence expressed to him by General Menabrea on "the healing influence of time." He was therefore much surprised to learn from M. Massicault that the Italian Consul was engaged in the preparation of premises for new schools, of which no notice had been given either to the Beylical authorities or the French Government. His representation to General Menabrea, that this was not the way to promote "the healing influence of time," eventually elicited an official communication from Signor Berio to M. Massicault of the intention of the Italian Government to open new schools at Tunis.

The French Government, accepting this communication as the announcement of a legitimate intention, at once instructed M. Massicault to communicate to M. Berio certain draft Regulations, upon which it was anxious to come to a preliminary understanding with the Italian Government, as to the position of these new schools in relation to the local authority. The apparent object of the Regulations is to minimize the application of the Beylical Decree. But I need only mention here two of them upon which controversy has arisen. The first provides that Italian subjects intending to open schools at Tunis shall give eight days' notice of their intention to the Tunisian Government; and the fourth provides that the inspection of such schools by the Tunisian authorities shall be of an exclusively sanitary character, that it shall have no reference to teaching or management, and that it shall only be carried out in concert with the Italian Consul.

M. Goblet read to me a telegraphic despatch, dated the 18th instant, which he had just received from M. Massicault, reporting the reply which Signor Berio had been instructed to make to the above-mentioned communication. In this reply the Italian Government accepts the first of the proposed Regulations, so far as regards the eight days' notice, but demands that the terms of the Regulations, which refer only to private schools opened by Italian subjects, shall be so altered as to acknowledge the right of the Italian Government itself to establish at Tunis public and national schools of the same kind and on the same footing as those which are maintained and conducted by the State in Italy.

To the fourth Regulation it objects, and proposes to substitute for it a provision that no inspection of any kind shall be permitted to the Tunisian authorities except on the spontaneous invitation of the Italian Consul. Furthermore, it demands that all private associations formed under the Presidency or with the approval of the Italian Consul shall be completely exempted from Tunisian law.

Signor Berio adds that he is instructed to inform the French Government that these demands are approved and supported by the German and English Governments, but more especially by the latter.

In reference to the first of the three demands, M. Goblet observes that the claim of the Italian Government to establish Government schools at Tunis, without reference to

and on a footing wholly independent of the Local Government, is unheard of; that schools of that character can only be maintained by one State upon the territory of another in virtue of special conventional arrangements between the States concerned; and that no such right is deducible from the Capitulations, of which he fully recognizes the validity.

The second demand he considers equally inadmissible, on similar grounds; and the third he characterises as absolutely incompatible with the existence of the French Protectorate.

After reading to me M. Massicault's despatch, his Excellency asked me whether it was true, as stated by Signor Berio, that Her Majesty's Government had instructed their Representative at Rome to convey to the Government of Italy their approval of these demands, and their promise to support them.

I replied that I had no knowledge of any such step having been taken by Her Majesty's Government, and that it appeared to me not altogether improbable that Signor Berio's statement might have reference to circumstances of an earlier date connected with the Beylical Decree, in reference to which I believed that Her Majesty's Government had been advised by their legal authorities that the Capitulations cannot be modified or superseded by such an act on the part of the Tunisian Government.

To that view of the Capitulations his Excellency unreservedly assented, but he contended that the Capitulations furnished no basis for the demands now put forward by Italy, and that the effect of those demands would be to establish Italy at Tunis on a footing that must, for all practical purposes, convert Tunisian into Italian territory, and thus create a double Protectorate.

M. Goblet went on to say that, personally, he had always disapproved the policy which had placed France in her present position in Tunis, but that, having, with the assent of Europe, assumed the Tunisian Protectorate, she cannot surrender it to systematic menace on the part of a neighbouring Power. The conduct of the Italian Government, he said, was only intelligible on the assumption that the object of it is to advertise Italy's non-recognition of the existence of a French Protectorate at Tunis, and her determination to take possession of Tunis herself on the first favourable opportunity. That, he observed, was an intelligible policy, and, from an Italian point of view, it might be a wise one. But it was a war policy, since the object of it is unattainable without war; and it renders useless all the concessions which, short of surrendering her Protectorate, France is sincerely willing to make for the sake of peace and goodwill.

With regard to Germany's alleged support of the last Italian demands, his Excellency added that he had reason to believe that those demands were disapproved and discouraged by Germany as well as Austria. Owing to Count Münster's absence from Paris, I have not had any opportunity of ascertaining from him whether M. Goblet's impression is correct.

I have, &c.
(Signed) LYTTON.

No. 125.

The Earl of Lytton to the Marquis of Salisbury.—(Received December 24.)

(No. 620.)

My Lord,

Paris, December 22, 1888.

WITH reference to your Lordship's telegram of yesterday, I have the honour to inform your Lordship that I have intimated to M. Goblet privately that the demands of the Italian Consul in Tunis with regard to public schools and the other matters referred to in his Excellency's conversation with me on the 19th instant, and reported in my telegram No. 46 of the 20th instant, have not received the support of Her Majesty's Government, and that they are not at present prepared to express an opinion upon them.

I have, &c.
(Signed) LYTTON.

No. 126.

Sir W. K. Green to the Marquis of Salisbury.—(Received December 25.)

(No. 143. Confidential.)

My Lord,

Tangier, December 16, 1888.

WITH reference to my despatch No. 142, Confidential, of the 10th instant, I have the honour to report to your Lordship that Signor Cantagalli informed me this morning that, though in no way bound to do so, he had, nevertheless, furnished M. Boutiron with a written explanation regarding the dispatch of the Italian interpreter, Signor Gentile, to the Moorish Court.

The French Chargé d'Affaires had replied, in a most courteous manner, acknowledging the friendliness of the Italian Minister's conduct, and expressing his satisfaction at learning that Signor Gentile's Mission was in no way connected with matters affecting French or other foreign interests.

I have, &c.
(Signed) W. KIRBY GREEN.

No. 127.

Consul Ricketts to the Marquis of Salisbury.—(Received December 26.)

(No. 30.)

My Lord,

Tunis, December 18, 1888.

I HAVE the honour to transmit herewith inclosed to your Lordship a despatch from Mr. Portelli, British Consular Agent of Monastir, stating that the authorities of that place insist on subjecting the Interpreter of his Consulate to the payment of the poll-tax.

This conduct appearing to me contrary to the provisions of the Treaty of 1875, I addressed on the 14th instant a note on this subject to the Resident, copy of which is herewith inclosed.

No answer has been as yet received from his Excellency.

I have brought this matter to the attention of your Lordship to show the little respect which the authorities of the interior manifest as regards our Treaties.

I have, &c.
(Signed) G. T. RICKETTS.

Inclosure 1 in No. 127.

Mr. Portelli to Consul Ricketts.

(Translation.)

Sir,

Monastir, December 10, 1888.

I HAVE the honour to inclose herewith a Beylical Decree belonging to Mohamed-il-Frighi, who has been lately asked to pay the Mejbah.

I have been both to the local Governor and the Contrôleur Civil at Susa to make them recognize the above-mentioned Decree, but both the authorities refused to do so.

It would be the most sad sight in the world if Mohamed-il-Frighi, after having served for twenty years in this British Consular Agency, should be subjected to all these Beylical restrictions.

I beg you, therefore, either to change the Decree as my interpreter, or to make it hold good as regards its rights and privileges.

I have, &c.
(Signed) T. PORTELLI, British Consular Agent.

Inclosure 2 in No. 127.

Mr. Ricketts to M. Massicault.

M. le Ministre,

Tunis, December 14, 1888.

I HAVE the honour to inclose herewith to your Excellency a copy of a letter which I have received from the British Consular Agent of Monastir, stating that the authorities of that place insist on collecting from the Interpreter to the Consulate the tax called the Mejbah.

As the Interpreter of that Consulate has up to the present been exempt from the payment of this imposition, I trust your Excellency will be pleased to cause an inquiry to be made into the conduct of the authorities of Monastir, in order that this privilege long enjoyed under Treaty be not interfered with.

I have, &c.
(Signed) G. T. RICKETTS.

No. 128.

Consul Ricketts to the Marquis of Salisbury.—(Received December 26.)

(No. 31.)

My Lord,

Tunis, December 18, 1888.

ON the 24th ultimo I addressed a note to the Resident, notifying to him the substance of your Lordship's despatch No. 16 of the 17th November.

Since my conversation with the Resident, mentioned in my No. 29, Confidential, of the 5th instant, I have had no further communication with his Excellency on this subject.

Should, therefore, any case arise in which my intervention is called for, I shall treat it in accordance with the terms of the Treaty of 1863.

I have, &c.
(Signed) G. T. RICKETTS.

No. 129.

Sir W. K. Green to the Marquis of Salisbury.—(Received December 26.)

(No. 144.)

My Lord,

Tangier, December 17, 1888.

IN continuation of the correspondence which has arisen out of the Cape Juby outrage, I have the honour to transmit herewith, for your Lordship's information, translations of three notes received by me the day before yesterday from Cid Emfadi Gharneet, through Cid-el-Hadj Mohammed Torres, the Moorish Commissioner for Foreign Affairs at Tangier.

The first note (Inclosure No. 1) accompanies a rifle, revolver, and ring, recovered by the Moorish Government through Abdurrahman (Dahman) Ben Beirook, which are said to have belonged to the late Mr. Morris. A promise is given that the murdered man's watch will also be sought for, and then a complaint is brought forward that the North-west African Company is preparing to erect an iron house on the mainland at Cape Juby, whereby the Sultan's sovereign rights over that locality will anew be infringed.

I forward to your Lordship by the present mail a registered packet containing Mr. Morris' ring, and retain here, as too bulky for immediate transmission, without your Lordship's orders, the rifle and revolver.

Whilst Cid Emfadi Gharneet by the second note (Inclosure No. 2) intimates that the Shereefian Government could successfully repel all responsibility for the mishap of the 25th March last to the officers of the North-west African Company, his Excellency nevertheless expresses the readiness of the Sultan, out of consideration for the friendship which has always existed between Great Britain and Morocco, to submit to the payment of the compensations which may be awarded to Mr. Morris' widow, and to the two wounded British subjects. Cid-el-Hadj Mohammed Torres has consequently been ordered to confer with me on this matter.

By the third note (Inclosure No. 3) an attempt is made to reopen the whole question of the right of establishment of the North-west African Company at Cape Juby.

Cid Emfadi Gharneet also endeavours to prove that the Shereefian Government would expose itself to a manufacture on all sides of claims against it if it, in the slightest way, conceded the demand for compensation brought forward on behalf of the English Company.

I will not enter upon a refutation of the assertions contained in this note of Cid Emfadi Gharneet's until I learn whether your Lordship desires that I should discuss with his Excellency the whole question of the North-west African Company's standing at Cape Juby, but perhaps your Lordship will allow me to point out at once

that the Shereefian Minister is altogether in error in asserting that he and I, when I was at the Moorish Court in the spring of 1887, argued the matter out between us. Both the Sultan and his Ministers made me understand most clearly that they were indisposed to treat with me on the subject, and, therefore, I was obliged to desist from pressing upon them the desired arrangement with the North-west African Company (see my despatch No. 3, Africa, of the 7th May, 1887).

I propose acknowledging immediately the receipt of the Moorish Minister's note of the 20th ultimo, forwarding the articles said to have belonged to Mr. Morris, and, whilst requesting his Excellency to thank the Sultan for the steps taken to secure the restitution of the property of the murdered man, I will mention, in a cursory manner, that I have no knowledge of the alleged intention of the North-west African Company to erect an iron house on their property at Cape Juby.

In accordance with the intimation contained in the second note, Cid-el-Hadj Mohammed Torres called on me yesterday, and put himself entirely at my disposal for the purpose of nominating the person or persons who should fix the amounts of compensation to be paid to Mrs. Morris and Messrs. Randleson and Somers.

His Excellency concurred with me, that perhaps an agreement could be come to between us as to these amounts without a reference to third parties, as there are precedents by which we may be guided.

I, however, said to the Hadj that I would not feel authorized to enter upon the matter until I had learnt your Lordship's wishes as to whether the question of compensations to be paid for the personal victims of the outrage might be separated from that of the losses of the North-west African Company. I would, therefore, be grateful to your Lordship, should there be no objection to the separation of the two matters, to learn from your Lordship whether I may suggest to the Moorish Commissioner for Foreign Affairs 5,000*l.* (25,000 dollars) as a fair compensation to Mrs. Morris, and 1,000*l.* (5,000 dollars) as the amount to be divided between Messrs. Randleson and Somers.

The sum mentioned for Mrs. Morris is based on the amount paid recently by the Moorish Government for the mother of the late Commandant Schmitt, one of the officers of the French Military Commission attached to the Sultan's Court, who was murdered whilst the Shereefian troops were passing through a district in rebellion. I am not aware what was the yearly salary paid by the North-west African Company to Mr. Morris, but I have no doubt it equalled that of a French major.

It also should be borne in mind, with regard to the compensations to be obtained, that they are not only intended to indemnify the direct victims of the outrage, but also to secure the future safety of English lives in this country, and to place them on an equality of those of foreign nations who have been sufferers at the hands of Maroquine savages and have exacted reparation.

I must also report to your Lordship that I pointed out in a friendly manner to Hadj Mohammed Torres that the persistent attempts of the Moorish Government to overlook the irrefutable evidence of the manner in which the outrage was perpetrated at Cape Juby, and to place the responsibility of it on the victims by asserting that they were roaming about at night for illicit purposes, would probably produce an unfavourable impression on your Lordship. His Excellency promised to counsel Cid Emfadi Gharneet to desist from statements calculated to be irritating by their wilful untruthfulness, and also to inform his Excellency that no Arabs of the district of Cape Juby have ever been accused of being implicated in the outrage.

With regard to the course to be followed in the matter of the compensation due to the North-west African Company, and as to whether the question may be separated from that of the amounts to be recovered for the victims of the outrage, I necessarily await your Lordship's instructions.

I do not think that any delay need arise in accepting an immediate settlement of the admitted claims, though it may be advisable that your Lordship should direct me to inform the Moorish Government that Her Majesty's Government are, nevertheless, not prepared to absolve it of the responsibilities thrown upon it through the action of its soldiery against an English Company, which is equally entitled with its servants to protection.

Should this be the course which I am to follow, I would suggest that I should be directed to announce to the Sultan's Minister that your Lordship considers that the right of the presence of an English Company at Cape Juby had long ago been discussed, and that it had been decided to be a matter beyond the jurisdiction of the Moorish Government. The fact of the subsequent incursions of Moorish troops in the neighbourhood of the English factory cannot be accepted as having legalized the

recent hostile and arbitrary proceedings against the North-west African Company, nor as having entitled the Sultan to countenance them. This is the only way, it appears to me, by which the reopening of the question of the *locus standi* of the Company at Cape Juby can be avoided.

I have, &c.
(Signed) W. KIRBY GREEN.

Inclosure 1 in No. 129.

Cid Emfadi Gharneet to Sir W. K. Green.

(Translation.)

(After compliments.)

I HAVE to inform you that the Sultan's officer, the Kaïd Abdurrahman-ben-Beirook, of Tekna, has used every endeavour to search for the things of the Englishman of the Company at Juby who was killed, and he happened to fall upon his ring, his gun, and his pistol. These things will reach you through the Naib, Sid-el-Hadj Mohammed Torres. The above-mentioned Governor is still looking for his (Mr. Morris') watch.

The Sultan has heard of the arrival of three English vessels at Juby, conveying a number of Englishmen, and with them an iron house, which they intend to put together on the shore, and His Majesty has commanded me to inform you of this, in order that you may report it to your friendly Government, and that you may take steps to cause them to leave that place, owing to the encroachment which their remaining there constitutes on (the rights of) the Moorish Government by introducing this innovation into the country without its permission and consent, and owing to the danger of others imitating them in this respect. The policy of your friendly Government is not to consent to anything which involves an encroachment on this country and its Government, and it has been known from olden time for its benevolent disposition towards this country. It (England) is not desirous that any encroachment be committed by others against this country in this or any other manner, much less than that any of its own people should commit such encroachment. Of a truth, for the Company to establish itself in that place without the permission of this Government is like doing so anywhere in the interior of the country, for that part belongs to the remote portions of the Western Empire (Morocco); the sovereignty over it is like the sovereignty over the internal portions, which are not remote, as regards the illicitness of landing there without the permission of the Government.

Finished the 25th Rebia I, 1306 (20th November, 1888).

(Signed) MUHAMMAD EL MUFADDAL BEN
MUHAMMAD GHARRIT.

Inclosure 2 in No. 129.

Cid Emfadi Gharneet to Sir W. K. Green.

(Translation.)

(After compliments.)

I HAVE received your letter, consisting of two parts. In the first part, you say that you have been instructed by your Government to press the Moorish Government for the punishment of the men who killed Mr. Morris at Tarfaya and attacked and wounded his companions, and for the payment of an indemnity to the wife of the murdered man and to the wounded men, which indemnity should be fixed by a person of known equitableness and impartiality. In the second part you state that you are compelled to ask, as an indemnity for the loss sustained by the Company in its trade at that place in consequence of the proceedings of the soldiers of the Moorish Government, a sum of 50,000*l.* I have communicated your letter to our Master—may God give him victory—and His Majesty has possessed himself of its contents. As to this (the second) part, I have answered you thereon in another letter herewith inclosed, but as to the first part the Sultan has commanded me to answer you that the facts of the death of Mr. Morris are that he went out at night on to the land, and was killed by the Arabs of that district. But even admitting that the guard killed him at night no responsibility rests on them, for that is part of their duty, they having been placed at that spot in order to guard it, and no attack was made by them on the place built by the Company out in the sea. As the Moorish Government has several times

protested to you that the establishment of the Company at that place without its permission and their trading there is a breach of the laws, these coasts not being made use of for purposes of exportation and importation of merchandize as other ports of the Empire, what responsibility can rest on the Government, and what compensation can it be liable to pay after that? But as the friendly Government has requested the arrest of the accused persons, and that the Moorish Government pay compensation to the murdered man's wife and to the wounded, it will pursue the accused soldiers until they are caught. But as to the accused Arabs, to arrest them is not possible, for they are like the birds, they have no settled place of abode. An indemnity will also be paid to the murdered man's wife and to the wounded in consideration of the solid friendship existing between the two countries, and to mark our preference of it to much of this world's goods. For what has passed in this matter between the friends will not harm, nor remain in the memory. (I am also commanded to inform you) that the Sultan has issued his orders to Hadj Mohammed Torres to meet you, and to confer with you on the appointment of one or two persons of the description given by you, for the purpose of fixing the amount of the indemnity which ought to be paid to the murdered man's widow and to the wounded people.

Finished the 29th Rebia I, 1306 (23rd November, 1888).

(Signed) MUHAMMAD EL MUFADDAL BEN
MUHAMMAD GHARRIT.

Inclosure 3 in No. 129.

Cid Emfadi Gharneet to Sir W. K. Green.

(Translation.)

(After compliments.)

I HAVE received your letter, in which you say that it is incumbent on you to demand of the (Moorish) Government the payment of 50,000*l.* to the Company, which is established at Juby, by way of compensation for the losses it has suffered in its trade at that place through the conduct of the soldiers of the Government posted there, but that if the Moorish Government will consent to cease its opposition to the free trading of the Company at Juby and its district, you will then undertake to induce the Company to abandon its claim for compensation, and it would limit itself to claiming for actual loss of merchandize and for the damage done to its buildings. I have communicated your letter to our Master—may God make him victorious—and His Majesty has taken note of its contents, and has commanded me to answer you on this subject: that there is no obligation on the Moorish Government to pay the said compensation to the Company for the losses it has sustained in its trade in that district, as the Government entered a protest with your predecessor, when Mackenzie landed at Juby, and informed him (Sir J. D. Hay) that that place was reckoned as being part of the Empire of Morocco, and that his (Mackenzie's) establishing himself there was nothing but a transgression and an infraction (of the rights of the Moorish Government). The Government therefore requested him (Sir John Drummond Hay) to cause him (Mr. Mackenzie) to leave the place, but he (Sir J. D. Hay) answered that this place was not regarded as belonging to this Empire, and that the hand of the Moorish Government did not reach it; but that when the hand of the Government should reach it, and Moorish jurisdiction should be exercised there, he would arrest the aforesaid persons. The Government (i.e., the Sultan) then went to the extreme parts of Soos in the year 1299 (1882-83), and the inhabitants of that place (Juby), viz., the Ait-Jemel of the tribe of Tekna, came to him obediently and submissively, and renewed their allegiance to him, and so also the tribes who live behind them up to the most remote ones, distant many days' journey from Juby: they returned to the Shereefian presence in submission and obedience, and renewed their allegiance severally tribe by tribe, after having done so collectively with all the tribes of the country. The Sultan—may God strengthen him—set their affairs in order, and appointed Governors over them, and placed guards at all the landing places of that district; and it became evident and clear that Juby, and all that is above it, belongs to this Empire, and that the frontier of this Empire is the territory of the independent Thrones of Egypt, of the Soudan, and of Guinea, as is explained and set down in the histories of the learned men (Oolema) of this country; the light of morning is clear to those who have eyes. An English merchant went out to Arxis, and he was arrested and given up to his Consul at Mogador, and the same thing was done to others who ventured into those parts; they were delivered over to their Consuls. The Government several

times protested to you, and demanded the removal of that Company from the said place, explaining the encroachment on the Government of Morocco, which leaving them there constituted, owing to their trading in a port not open to commerce without the consent or permission of the Moorish Government, but their removal thence was not consented to. Then how can it become the duty of the Moorish Government to pay this compensation to a Company which has braved its authority by carrying on trade in one of its ports, which is not in use without its permission, and has opened upon it the doors of encroachment by so doing. His Majesty the Sultan sent his cousin and his Secretary El Gabbas, and they protested against the Company at that very place, summoning them to leave it, but they would not do so. If, now, the Government were to consent to pay this compensation, what could it say to other Companies if they should establish themselves at other places, claim to have suffered losses, and demand compensation for them, on the ground of being placed on a footing of equality with this Company? Would it be possible not to answer them? No, indeed! We should be bound to answer them agreeably with the most-favoured-nation clause, and the injury to the Moorish Government would assume greater proportions. In fine, it is believed of your friendly Government that it will not consent to the perpetration of this great injury on the Moorish Government by its own subjects through the payment of this indemnity to the Company in question.

You had already spoken, oh, friend, regarding this indemnity, and you were given to understand that the Company had no right to claim it; and it was explained to you what great evil would fall on the Moorish Government in case they should consent to pay it, and you admitted that, and ceased discussion on the matter, although paying that and more also for the sake of a friendly Government would not rankle in the mind, and would do no harm, but that which would do harm would be the great infraction (of the rights of the Moorish Government) pointed out above.

Finished the 29th Rebia I, 1306 (23rd November, 1888).

(Signed) MUHAMMAD EL MUFADDAL BEN
MUHAMMAD GHARRIT.

No. 130.

The Marquis of Salisbury to Sir Clare Ford.

(No. 169.)

Sir,

Foreign Office, December 26, 1888.

I TRANSMIT to your Excellency the accompanying translation of a note which has been addressed to me by the late Spanish Ambassador at this Court, in regard to the complaint of Señor Lozano, the Spanish Consul at Tangier, against the editor of "La Africana," a journal published in that city, who is a British subject.*

I have to request you to explain to the Spanish Government that Her Majesty's Government have no power to deal with the offence complained of, otherwise than in the ordinary course of law, that is by proceedings for libel in the British Consular Court, and that as Señor Lozano declines to avail himself of that remedy, or, indeed, to appear in Court, Her Majesty's Government are unable to give him any redress. At the same time they are quite willing to consider any proposals for regulating the foreign press in Morocco, and are already in communication with Her Majesty's Representative at Tangier on the subject.

I have at the same time to acknowledge the receipt of your Excellency's despatch No. 158 of the 16th instant upon this case, and to convey to you my approval of the language used by your Excellency to the Spanish Minister for Foreign Affairs, as reported therein.

I am, &c.
(Signed) SALISBURY.

No. 131.

The Marquis of Salisbury to Sir W. K. Green.

(No. 115.)

Sir,

Foreign Office, December 26, 1888.

I HAVE received your despatch No. 124 of the 23rd October last, in regard to the complaint of Señor Lozano, the Spanish Consul at Tangier, against the editor of

* No. 82.

"La Africana," a journal published in that city, who is a British subject, and I have to convey to you my approval of your reply to Señor Diosdado, the Spanish Minister, as reported therein.

I have at the same time to request you to report to me on the question of the foreign press in Morocco, with a view to the consideration of the best method of controlling abuses by British journals.

I have to refer you in this connection to your predecessor's despatch No. 104 of the 16th November, 1884, and to Earl Granville's reply No. 4 of the 27th January, 1885.

I am, &c.
(Signed) SALISBURY.

No. 132.

The Marquis of Salisbury to the Earl of Lytton.

(No. 567.)

My Lord,

Foreign Office, December 27, 1888.

I HAVE received your Excellency's despatch No. 613 of the 20th instant, reporting the substance of your conversation with the French Minister for Foreign Affairs on the subject of certain demands recently put forward by the Italian Government regarding new schools which they had announced their intention of opening in Tunis.

I have to state to your Excellency, in reply, that Her Majesty's Government had no knowledge of the Italian demands mentioned by M. Goblet until the receipt of your Excellency's despatch, and therefore could not have supported them, even if they were considered to be well founded.

I am, &c.
(Signed) SALISBURY.

No. 133.

M. Crispi to M. Catalani.—(Communicated to the Marquis of Salisbury by M. Catalani, December 28.)

(Télégraphique.)

Rome, le 28 Décembre, 1888.

LE Consul du Roi à Tunis télégraphie que les employés Italiens, Maltais, et Grecs, ont été prévenus d'obtenir, sous un court délai, la nationalité Française, sous peine d'être congédiés. Une telle intimation a été officiellement donnée à une dizaine d'employés de la Municipalité de Tunis, et à plusieurs employés à Sousse, Sfax, Monastir, et Medhi.

Il est superflu de faire remarquer que cette mesure constitue une nouvelle violation des Capitulations et des Traités, et une provocation gratuite. L'acte est, en outre, illogique, puisque, s'agissant de l'Administration Tunisienne, la naturalisation qu'on voudrait imposer devrait être non pas la Française, mais la Tunisienne.

Les sujets Italiens à Tunis n'accepteront pas l'invitation dont il s'agit, et ils resteront sujets Italiens. Le Gouvernement du Roi ne manquera pas de leur venir en aide, et je ne doute pas que le Gouvernement Anglais se préoccupera, de son côté, de la situation de ses sujets à Tunis.

Désirant procéder à ce sujet d'accord avec le Gouvernement Anglais, veuillez demander sur cette question l'avis de Lord Salisbury. L'attitude de sa Seigneurie, conforme à celle du Gouvernement Italien, pourra sans doute conjurer une nouvelle complication avec la France, et maintenir intact les droits assurés à l'Italie et à l'Angleterre par les Capitulations et les Traités.

No. 134.

Sir W. K. Green to the Marquis of Salisbury.—(Received December 29.)

(No. 145.)

My Lord,

Tangier, December 20, 1888.

WITH reference to my despatch No. 144 of the 17th instant, I have now the honour to place before your Lordship the translation of a further note received by me from Cid Emfadl Gharneet, calling upon me to make known to your Lordship the Sultan's wish that His Shereefian Majesty's objections to paying an indemnity to the North-west African Company for its loss of business from the alleged proceedings of

the Moorish Government, culminating in the outrage of the 25th March last, should be represented in a direct manner to Her Majesty's Government through a Maroquine Envoy, to be sent to England for the purpose.

Your Lordship will not fail to observe that a tone of doubt as to my being a correct exponent of your Lordship's friendly sentiments towards the Sultan appears to pervade Cid Emfadl Gharneet's note. Your Lordship will therefore understand that I cannot but support Mulaï Hassan's present request, as it would be injurious to the amicable intercourse which it is desirable I should always hold with this Government, if the vague belief is strengthened that I have governed in some way decisions regarding the territorial limits of the Empire and the rights of establishment of the Company at Cape Juby, arrived at ten years ago, when I was employed elsewhere.

Nevertheless, it must be borne in mind that, if your Lordship consents to receive the Maroquine Envoy, past usage would almost require that he should be entertained whilst in England at the charge of Her Majesty's Government, if not also conveyed there and back in one of Her Majesty's vessels.

But these matters of detail I should probably be able to settle in accordance with the wishes which your Lordship might express upon them. What it would be impossible for me to secure is that the Envoy should have full powers, after a fair discussion of the Sultan's pretensions, to enter upon any Agreement tending to bring the question of the Cape Juby establishment to a final settlement. The Envoy would only be empowered to repeat verbally to your Lordship what has been reiterated in all the Moorish notes since the first appearance of the North-west African Company at Cape Juby in 1879; and, when he found that Sir John Drummond Hay and I had been faithful echoes of the opinions of Her Majesty's Government he would retire, and the Sultan would remain as determined as ever to decline a settlement which was not a simple acceptance of his demand for the immediate withdrawal of the English factory from Cape Juby.

Should your Lordship, under these circumstances, consider that there is no need for the dispatch of the Moorish Envoy, it would then be necessary, I humbly venture to point out, to direct me to inform the Shereefian Government, in the name of that of Her Majesty, that the contention originally held that the limits of the Maroquine Empire did not extend beyond the River Draa when the North-west African Company commenced operations at Cape Juby cannot be abandoned, and that the subsequent establishment of the Sultan's authority in those parts did not vitiate the titles under which the English Company was located there, nor entitle His Shereefian Majesty's soldiery to destroy the Company's buildings and property, murder its servants, and impede its trading.

However, I must admit, as I have stated at the commencement of this despatch, that personally I would prefer that the Envoy should be received by your Lordship, whereby the conviction would be ultimately gained by the Sultan, that it is not within my power to dispose of the rights and interests of British subjects in accordance with what would be most pleasant to His Shereefian Majesty, or advantageous, from a Moorish point of view, to myself.

I have, &c.
(Signed) W. KIRBY GREEN.

Inclosure in No. 134.

Cid Emfadl Gharneet to Sir W. K. Green.

(Translation.)

(After compliments.)

4 Rebia II, 1306 (December 9, 1888).

I HAVE received your letter on the question regarding the English Company established at Cape Juby, and I have communicated it to our Lord the Sultan. May God give him the victory. His Majesty has acquainted himself with all you say and with your suggestions on that question, and has commanded me to answer you: that a reply has already been sent to your demands for the arrest of those accused of the murder of one of the merchants of the Company, and for the payment of a compensation to the widow of the deceased and to the wounded men, to the effect that the Government would pursue the accused soldiers and arrest them, but that it would not be possible to arrest the accused Arabs, who are like the birds, having no fixed place of abode; that the Government would pay compensation to the murdered man's widow and to the wounded in consideration of the firm and solid friendship existing between the

two Governments, and to mark its preference of it to much of this world's goods, for that which had passed in this matter between the friends would not harm nor remain in the memory; and that the Sultan—whom may God strengthen—had commanded the Naïb, the Sid-el-Hadj Mohammed Torres, to meet you and confer with you on the selection of one or two persons of the description given by you to settle the amount of the indemnity to be paid to the wife of the deceased and to those who were wounded [this by way of information to you], that however the payment of this indemnity was not of the nature of an obligation, as you and the Company had before been apprised that the Government had placed a guard in those regions, and as the Government had several times protested against the landing of the Company on that shore, saying that if any evil befell any of them on the land, the responsibility would rest on his own shoulders, and as the Government had also sent the Sheerif, the secretary, Mulaï Hamed-el-Balghiti, and the secretary, the Sid Mohammed-el-Gabbas to Juby, who protested there against the Company, and had repeatedly warned you that if any evil befell them on the land the guard would not be held responsible, though if an attack were made on the Settlement, which is out in the sea, by the soldiers, they would be called to account for it. Now what befell the merchant befell him on the land; that, in short, if the indemnity which is due to the murdered man's wife and to the wounded is paid, it will be done as a piece of (good) policy, not in any other way, as there is no obligation on the Government to do so.

(I am further directed to answer you.) That as to your demand for the payment of 50,000*l.* to the Company as a compensation for loss of trade at that place through the proceedings of the soldiers of the Government posted there, you were answered to the effect that Juby is part of the Empire of Morocco, and that the landing of the Company there without the consent of the Government is a violation of the latter's rights; that the Government only knows that it has a case against the Company on account of their infraction of its right, by carrying on a contraband export and import trade in its dominions. Right is not on their side against the Government in claiming this indemnity for loss of trade at that place, because of the Government's former repeated protests and summons to them to leave the place.

Therefore, it appears good in the eyes of our Shereefian Master that this Government should settle this question with the Company in the presence of the august Government of Great Britain, and at the seat of its jurisdiction through a Representative to be appointed by His Shereefian Majesty, owing to the conviction of His Majesty—may his strength endure—that your friendly Government wishes nothing but what is good to this august Empire, and will not consent that the least injustice be perpetrated against it by any one, nor that any one should intervene between the two; for more than this may happen between friends, and they settle it between themselves; they do not introduce a third person into the matter. The Sultan—may God strengthen him—has commanded me to inform you of this, in order that you may communicate it to your Government, requesting the latter to appoint a time for sending this Envoy for the aforesaid purpose, and that you then make it known to His Shereefian Majesty, who will send the Envoy through you; he will go as an Envoy without any ceremony being required. The Sultan has also commanded me to request you earnestly to be a friendly intermediary in making this known to your Government, and in taking steps to send this Envoy to it, as is the custom of intelligent and friendly intermediaries, who by their action strengthen the bonds of amity and union between the two parties. Verily, some friendly intermediaries have, by their good offices between the Shereefian Government and their own Governments, tightened the bonds of friendship and completed the alliance between them. And there has been from of old between the Governments of Great Britain and Morocco perfect unity, and strong, sincere, and firm friendship. Therefore, it is your duty, oh, friend, to pursue that which is calculated not only to make this friendship continue as it was, but to increase, renew, strengthen, and confirm it, as your friendly Government wrote to His Shereefian Majesty when you came to serve in this country, that you had been elected as an intelligent and friendly go-between, and had been specially enjoined to hold intercourse of the most friendly character, and to endeavour in every way to further the good relations between the two Governments, and as His Shereefian Majesty reposes trust in you, and regards you as a man of intelligence, reliability, and of good intentions. Peace.

(Signed) EMFADL GHARNEET.

The Earl of Lytton to the Marquis of Salisbury.—(Received December 29.)

(No. 623. Confidential.)

My Lord,

Paris, December 27, 1888.

M. GOBLET, when I saw him last Wednesday, again referred to the unsatisfactory condition of the relations between France and Italy, with special reference to the demands now put forward by the Italian Government, relative to the establishment of Government schools and other matters concerning the status of Italian subjects and institutions at Tunis.

He said that M. Massicault had been led to expect a further communication from Signor Berio on this subject; that up to the time at which he was speaking no such communication had been received; and that he had reason to fear the Italian Government was about to open Government schools at Tunis without further reference to the Government of France, and in disregard of its remonstrances.

Such a step, he said, would be a deliberate act of aggression and provocation, to which, notwithstanding its earnest desire to avoid the quarrel which Signor Crispi seemed bent upon forcing on it, the French Government could not passively submit.

His Excellency then entered into a general review of various circumstances illustrating the attitude maintained by the Italian Government towards that of France in reference to Tunisian affairs. This he described as a systematic attempt to override and destroy the French Protectorate at Tunis, by continually acting in disregard of its existence. France, he said, even if willing to enter into negotiation with other Powers for the surrender of the Protectorate she had assumed with their assent could not abandon it to the dictation of Italy, nor allow herself to be ousted from it by the arbitrary action of that Power.

The course of action, therefore, pursued by Italy in reference to Tunis must, if unmodified, result in a serious collision between the two nations. Indeed, such a collision might occur at any moment; for the aggressive attitude assumed by the Italian Government at Tunis was accompanied by naval preparations in the Mediterranean which imposed corresponding preparations upon France.

He had been assured by my German and Austrian colleagues that, if Italy provokes a quarrel with France, she will do so at her own risk and peril; and these assurances he did not doubt. But he could not resist the impression that Signor Crispi is acting on the calculation that, if Italy is engaged in hostilities with France, no matter what the occasion of them, and if the conflict goes against her, Germany and Austria certainly, and England probably, will be obliged to come to her rescue.

I have, &c.
(Signed) LYTTON.

The Earl of Lytton to the Marquis of Salisbury.—(Received December 29.)

(No. 628. Confidential.)

My Lord,

Paris, December 28, 1888.

WHEN I last saw M. Goblet, I asked him if he could tell me what Cardinal Lavigerie is doing at Rome.

His Excellency replied that the Cardinal is a vain man, very ambitious, and animated by an inordinate desire to make himself important; that, in this aim, he is continually acting beyond his legitimate sphere; and that very possibly he might now be indulging in amateur diplomacy at Rome, where he was said to be engaged in the endeavour to bring about a European Conference on the Slave Trade—an idea which his Excellency believed the German Government was not disinclined to entertain. But that, whatever the Cardinal might be doing at Rome, he was certainly acting without the knowledge or encouragement of the French Government.

My reason for asking M. Goblet this question was suggested by the reference in Mr. Consul Ricketts' despatch No. 26, Confidential, to your Lordship of the 27th ultimo, to Cardinal Lavigerie's letter to Dr. Spezzaferro, and also by the fact that I had previously heard indirectly, and from a private source, that to some extent the strained relations between France and Italy in reference to Tunis had been aggravated by the Cardinal's active interference in Tunisian affairs.

Some months ago Count Münster intimated to me his belief that the vehemence of the Italian protest against the Beylical Decrees about Italian schools was largely due to Signor Crispi's dislike and mistrust of Cardinal Lavigerie, to whom the Italian Government attributed the instigation of the obnoxious measure.

But if his Eminence is an *ingrata persona* to Signor Crispi, he is equally so to M. Goblet.

I have, &c.
(Signed) LYTTON.

Mr. J. G. Kennedy to the Marquis of Salisbury.—(Received December 31.)

(No. 335. Confidential.)

My Lord,

Rome, December 21, 1888.

I TO-DAY paid my first visit to the French Ambassador to the Quirinal, who, as your Lordship is aware, has recently replaced Count Mouy.

M. Mariani received me very cordially. His Excellency, in allusion to some press articles stating that he had a mission of reconciliation, stated that his Italian sympathies were well known in France, and that M. Goblet had on that account appointed him to Rome. His Excellency spoke of the commercial relations between Italy and France, expressing regret at the denunciation by Italy of the Treaty of 1881, which he himself had framed and negotiated; but his Excellency admitted that, owing to the strong protectionist feeling in the French Chamber, there was at present no prospect of a renewal of the Treaty. His Excellency mentioned the fact that there were about 80,000,000*l.* worth of Italian Consols, Railway obligations, and Treasury bonds held in France, for the interest of which the Italian Government had to provide funds under far greater difficulties now that the Italian exports to France had so greatly diminished under the war Tariffs.

In reference to his former residence in Italy, M. Mariani said that he had many personal friends everywhere, and especially at Milan, but on that account he was careful in no way to mix himself up in Italian domestic questions. He told me that recently an Association had been formed in Milan, called the League of Peace, of which the prominent members were Republicans and ex-Garibaldians: one of the members, whom he had known well in former days, had called upon him in reference to the objects of the League, but he had declined to receive him.

His Excellency expressed the hope that the relations between France and Italy would improve, and said that, although at present there was no cause for quarrel, he could not help feeling anxious respecting affairs in Tunis. He had no instructions to discuss the question, and therefore he should avoid any allusion to Tunis in conversation with Signor Crispi, but he knew that the question of Inspection of Schools was still open, because Signor Crispi had declined to sanction the proposal made by the Italian Consul in Tunis, and accepted by France, that the official inspection would only apply to schools established in the future.

M. Mariani added that France had always been conciliating towards Italy in regard to Tunis; that the Protectorate of that country and subsequent measures complained of by Italy were entirely due to Italian intrigues directed against France; that Italy had best not provoke France further, because the only result would be the annexation of Tunis.

In conclusion, his Excellency said that the Tunisian question should be carefully watched by Europe, because, although France wished to keep matters as they are, and to avoid irritating questions, she could not submit to the perpetual interference of Italy in matters of administration. M. Mariani added that if he, with his Italian sympathies, spoke warmly respecting Tunis, I might believe that the feeling in France was still stronger.

I have, &c.
(Signed) J. G. KENNEDY.

Sir W. K. Green to the Marquis of Salisbury.—(Received December 31.)

(No. 146.)

My Lord,

Tangier, December 22, 1888.

SUNDAY last, the 16th instant, the "Al-Moghreb-al-Aksa," one of the local newspapers, published a letter from its correspondent at Fez, announcing that the people of the Figuig Oasis had sent an important deputation to the Sultan to inform him of having sustained a serious defeat at the hands of French troops, which had invaded their territory, and to implore the assistance of His Shereefian Majesty in repelling the invasion.

I was unable to obtain any confirmation of the report from official quarters, and therefore abstained from troubling your Lordship on the subject, and now I only venture to forward the inclosed translation of an extract from a letter received by me from a native at the city of Morocco as a proof that the rumours of the French incursion are current in all parts of the Empire, and that they cannot have been propagated among the people altogether without foundation.

M. Boutiron, to whom I have spoken on the existence of the reports, assures me that he has received within the last few days telegrams both from Paris and from the Governor-General of Algeria, positively stating that there has been no passage of French troops over the Moorish frontiers near Figuig, whence, on the contrary, the portion of the Algerine tribe of Amour, which had escaped to the oasis, was returning to French territory under a free pardon granted to it. The French Chargé d'Affaires could only account for the rumours of the incursion by surmising that the usual autumnal military manœuvres, which are being carried out now in Algeria, have been mistaken by the Moors as hostile operations, and have been exaggerated into an actual invasion of Maroquine territory.

It is, however, needful not to forget altogether that Señor Diosdado, when recently discussing with me (see my despatch No. 131, Confidential, of the 13th ultimo) the possible advance of the French on to Figuig, expressed the belief that the Sultan would do well not to publish any accounts of what happened in that direction; therefore, silence on the part of the Moorish Government on the subject should not be considered as absolute proof that nothing is occurring at Figuig.

I have, &c.

(Signed) W. KIRBY GREEN.

Inclosure in No. 138.

Extract from a Letter addressed by a Moorish Gentleman to Sir W. K. Green, from the City of Morocco, under date of the 4th December, 1888.

(Translation.)

I HAVE heard that the French troops in the neighbourhood of Figuig have invaded the Sultan's territory, and have taken from the Moors 800 tents, and their country, and their property. I suppose the news will have reached you before mine.

No. 139.

Sir W. K. Green to the Marquis of Salisbury.—(Received December 31.)

(No. 147.)

My Lord,

Tangier, December 22, 1888.

I HAVE the honour to report, for your Lordship's information, that the German Government having acceded to the request of the Sultan to receive a Moorish Embassy to congratulate the Emperor on his recent accession to the throne, the Kaïd Cid Abdesselam Ben-er-Reshid, Governor of the Woolad Haris, and Cid-el-Hadj Mahomed Zugary, recently Acting Commissioner for Foreign Affairs at Tangier, have been summoned to the Sheereefian Court at Fez to receive their instructions as, respectively, First and Second Maroquine Ambassadors to William II.

Ten horses, destined as presents from Mulaï Hassan to His Imperial Majesty, have already arrived in Tangier, and will probably be conveyed to Germany at the same time as the Ambassadors, by a German vessel of war.

The Kaïd Ben-er-Reshid is a powerful feudal Chief, who has not been distinguished

for his good-will towards the European merchants established at Dar-al-Baida (Casablanca), the coast-town bordering the district of Woolad Haris. A complaint made against him by me to the Sultan (see my despatch to your Lordship No. 76 of the 7th August, 1887) still remains unheeded.

Cid-el-Hadj Mahomed Zugary, the Second Ambassador, on the other hand, is a man who enjoys the confidence and respect of all who come in contact with him. He resided for many years in Gibraltar, whence he was summoned by the Sultan to assume, much against his will, public duties both at Tangier and elsewhere in the Empire.

It is highly probable that the Moorish Embassy to Berlin will be looked upon in French circles as a confirmation of the recently-reported secret negotiations for placing Morocco under the control of the Triple Alliance, more especially as Colonel Bregoli, the principal officer of the Italian Military Mission attached to the Sultan's Court, is on the point of starting for Rome, the bearer of Shereefian letters to the King and to Signor Crispi, though I understand from Signor Cantagalli that these letters are strictly connected with the purchase of machinery for the establishment at Fez of a small-arms manufactory.

I have, &c.

(Signed) W. KIRBY GREEN.

No. 140.

M. Crispi to M. Catalani.—(Communicated to the Marquis of Salisbury by M. Catalani, December 31.)

Rome, le 31 Décembre, 1888.

(Télégraphique.)

L'AMBASSADEUR de France est venu aujourd'hui me donner des explications sur les mesures prises contre les employés Italiens en Tunisie. D'après M. Mariani, ils s'agiraient de cas isolés et d'un petit nombre d'exclusions motivées par des manquements personnels. Nos informations provenant de sources diverses ayant été d'une toute autre teneur, je dois supposer que le Gouvernement Français ayant reconnu les difficultés auxquelles il s'exposait, ait préféré revenir sur son intention première qui était manifestement contraire aux dispositions du Traité Italo-Tunisien, et du Protocole Italo-Français du 25 Juin, 1884. Par suite des explications de M. Mariani, il me semble qu'il n'y a pas lieu à procéder, et la question peut se considérer comme apaisée.